

Final  
as written  
4/20/15

**PLANNING BOARD  
CANAAN, NY 12029  
COLUMBIA COUNTY**

**APPROVAL OF MINUTES OF** March 16, 2015  
**DATE** April 20, 2015  
**MOTION BY** Pierre Gontier  
**SECOND BY** Craig Dillon

**APPROVED BY**

**CHAIRMAN RON DAVIS** Ronald Davis

**DEPUTY CHAIRMAN J. PIERRE GONTIER** J. Pierre Gontier

**MICHAEL BELKNAP** Michael Belknap

**JENS BRAUN** abstain - not a Bd member in March

**CRAIG DILLON** C. E. Dillon

**CHAD LINDBERG** [Signature]

**MARLENE TUCZINSKI** Marlene Tuczinski

PLANNING BOARD MEETING  
CANAAN, NY 12029

**DRAFT**

MARCH 16, 2015

The meeting was called to order at 7:00pm and all Board members were present. The Board stands at 6 members since there is a vacancy.

Site Plan Review for a Horticultural Center for Berkshire Farm Center located at Route 22 and Queechy Lake Drive

Ann Clark, surveyor for Clark Engineering and John DiMuro from Berkshire Center were present. Ms. Clark provided more copies of the map, DEC notice of application and information on the fertilizer that will be stored on site to the Board.

Ms. Clark stated the project has moved further away from Route 22. This project will only be for the greenhouses and the food/farm stand. The hydroponics portion has been removed; this may be done later but it will not be at this location.

The entrance has remained the same, the plan is to cross the buffer zone but not be in the wetlands. Ms. Clark said DEC is okay with crossing the buffer zone. The driveway will continue past the greenhouses to the waste water area, which is underground. The lighting will be simple for the greenhouses and will not be on all the time. They will be running natural gas lines for the greenhouses. This will need a state permit. There will be 10 feet separation between the water and sewer lines. Pierre said moving the greenhouses back eliminates some of the issues he has with the lighting. There will be a border (fence) by the greenhouses but it will be like an animal fence, wooden. It will not be metal. Chain link fence only around the wastewater plant. Ron said the permit(s) for the water line and gas line must be provided to the Board. Sewage tank is a holding tank only, it will be connected to the wastewater plant.

Michael asked if a traffic study was done and Ms. Clark said no, DOT did not ask for it. Pierre asked if there will be a walkway from the parking to the farm stand? Ms. Clark said no, it might be grass or pea stone. Ron asked where the gas line is coming from? Ms. Clark said from the North end of the school. Michael said he is still concerned about the traffic, it is still an issue. He said especially the traffic from Route 22 to Queechy Lake Drive, people drive too fast there. Michael asked about the signage and said especially at plant sale time the traffic will be very heavy. Ms. Clark said DOT was on site and even with the beach traffic there is plenty of sight line. The Board would like some signs put up for safety. Pierre said the County might put these up. Pierre said he still concerned about cars pulling out onto Queechy Lake Drive and would like to see it be a right turn only onto Queechy Lake Drive from the greenhouses. He feels the sight line is not good and he agreed with Michael that the traffic goes too fast along that road.

**DRAFT**

MEMORANDUM FOR THE DIRECTOR

DATE: 11/11/70

TO: THE DIRECTOR

FROM: [Name]

SUBJECT: [Subject]

[Text]

[Text]

[Text]

[Text]

[Text]

[Text]

[Text]

[Text]

Outstanding items

1. Make the font on the maps larger so it is easier to read.
2. Need to show the tax map numbers on the maps.
3. Need the 100 year flood plain materials.

*Note:* Ms. Clark presented a map to the Board showing this project is not in that plain.

Map submitted to Board.

4. The lines which show outside the buffer area need to be delineated.
5. Need to show the snow removal area outside the buffer and wetlands areas.
6. Need to show the drop ( 4 feet ?) off of Queechy Lake Drive onto the driveway.
7. Need the County letter approving the driveway location and curb cut. Ms. Clark stated the driveway is 24 feet wide and will have guardrails.
8. Guardrails for the driveway and curb cut must be shown.
9. Show the walkway
10. Need more details on the lighting. Poles are shown on the maps.
11. Need information from the County on traffic, the road
12. Need to provide copies of the water and gas lines permits.
13. Need details on signage. Ms. Clark said she knows only 1 is allowed. The Board would like to see the location of the sign, color and what it will say. Directional signs are okay in addition to the 1 sign. Ms. Clark said the sign has not been decided yet. Mr. DiMuro said it could be solar but he does not think it will be lit.

Ms. Clark said they have appeared before the ZBA and may have to go back there.

The Board will wait for additional information on this project.

Interview for the Board vacancy- Jens Braun

Pierre asked if Mr. Braun was traveling a lot and would he be missing meetings if he was appointed? Mr. Braun said he is traveling less than he has been and normally only in January. He said he could try to rearrange his schedule but he would probably miss the one meeting in January.

Pierre said Board members have to have 4 hours of training per year, can he do this? Mr. Braun said he was going to ask about training, this is not a problem.

Pierre said some decisions could be uncomfortable and could also be about someone he knows. Would he be able to do this? Mr. Braun said he has had to fire people in the past and although it is uncomfortable, he could do it. He said when he appeared before this Board for their housing group he felt the Planning Board was fair.

Craig asked if Mr. Braun sees any special zoning issues that need to be addressed? His response was that he tries to sit back and just look. He wants to learn first and maybe later look at issues. He said he was on the windmill committee and that is how he approached that.

Ron asked what his feeling was on cluster housing? Mr. Braun said their sense of doing that was to be near the road but to leave a lot of area open. He said open space is important. He has seen aerial maps in Massachusetts and doesn't like houses spread out. He said their group had a discussion on this. Ron said he was thinking more along the lines of a septic system and water line and then later on the developers are gone and the Town has the responsibility to fix the problems. Mr. Braun said he would not want thing to build up like Atlanta for instance.

Marlene asked what was his greatest strength that he would bring to the Board? Mr. Braun said he is good listener and will listen to what people want and then go by the law.

Michael said this Board is different than the ZBA and the Town Board. This Board has to follow what the law is. So even if you don't agree with something, you must follow the law. Mr. Braun said this is another reason why he wants to be on this Board. He said you must respect the law (common agreement) on things. He will follow this. Michael said the zoning laws still need to be looked at and maybe cleaned up. Ron said this is one of the duties of the Planning Board, to review the Zoning Laws. Ron said sometimes there are special meetings too. Ron said Board members should make site visits. Mr. Braun said he realized site visits are important.

Chad asked if he foresees more projects from himself and his group coming before the Board. Mr. Braun said no.

There were no more questions from the Board. Ron thanked Mr. Braun for coming to the meeting. He said the Board would go into Executive Session and would let him know what happens.

Informal appearance by Fred Haley, surveyor, for a subdivision for Charles Goldberg on Queechy Lake Drive and Whittings Pond Road

Mr. Haley said he had met with Lee Heim who was encouraging. This property is 25 acres and is across the road from the Backwater Grill. The last sale similar to this was in 1975. The land was sold with no legal road frontage; only access is thru a private road. There is 218 feet of frontage and is only 25 feet wide. There are already 2 houses on this property accessed by a small access road. No formal agreement. Mr. Goldberg wants to divide the property so each house is on a parcel plus divide the rest of the acreage of 20 acres into 2 lots.

He said this is 2 acre zoning. However to divide these houses into 2 parcels would leave each one on only 1 acre; making them non-conforming.

Ron said Mr. Haley should not have gone to Lee Heim, he should not be involved. This is a Planning Board issue. Then if a variance is needed, he would have to go to the ZBA. If there was a split, the lots would need a common driveway. Ron said the ROW has to be 60 feet wide. Mr. Haley said that is impossible.

Ron said this property is on the opposite side of the road from the lake so it is not on Queechy Lake at all. Mr. Haley said in past sales docks were given to these parcels. The road (Queechy Lake Drive) does not stop access to the docks. Queechy Lake Drive is a right of way. Mr. Goldberg's right of access to the lake is on the opposite side of the road by the Backwater by dock use. He stated as properties were sold access was still given to the property owner on the other side.

Mr. Goldberg would like the 20 acres divided into a 13 acre parcel and a 9 acre parcel with access off Whittings Pond Road by Jack Leal's house. It would actually be Jack Leal's driveway. This would be a written agreement. Ron said he was concerned with this. He is concerned that these parcels would be sold and houses built on them. Drainage and erosion would be a problem and would come right down to the Leals causing problems. Chad said to make this better, other property could be acquired. Mr. Haley said if this was a major subdivision, he would plan to bring the road up to specs and do an erosion plan etc. but that is not the case. Ron said a subdivision can't be approved unless a way can be shown for access and that way has to be 60 feet wide. Mr. Haley asked if they can have a common driveway. Michael said it is a way but has to be 60 foot ROW. This is a problem since it is only 25 feet.

Pierre said even though it is not a major subdivision this Board can ask for erosion plans. There could be problems later. Ron said this subdivision can't be done by the Planning Board because there is not a 60 foot ROW. He could go to the ZBA for a variance. Mr. Haley asked if he could get that? Ron said he did not know but it is doubtful they would get a 35 foot variance. Mr. Haley said he can imagine his client saying everyone else has only 20 or 25 feet, why not them? Michael said it has to go by what is currently in our zoning laws and 25 feet is not allowed.

Mr. Haley asked what he would have to show the Planning Board for it to be rejected to then be able to go to the ZBA? The Board said he must show a road to the back parcel (cul de sac) that is not a 60 foot ROW (which would make it non conforming). He would have to submit a formal application. He would have to show the parcels with the houses being only 1 acre each (which makes them non conforming). The Board suggested showing topography on the map. Mr. Haley said he would get an application and formally

submit the subdivisions.

Review and approval of the December 15, 2014 minutes

MOTION TO APPROVE AS AMENDED- Craig Dillon  
Second-Pierre Gontier All in Favor

Roll call

Chairman Ron Davis-yes  
Marlene Tuczinski-yes  
Craig Dillon-yes  
Pierre Gontier-yes adopted  
Chad Lindberg-yes  
Michael Belknap-yes

Correspondence

1. Christmas card from Whiteman, Osterman and Hanna
2. Letter dated 12/16/14 from the Clerk to the Town Clerk re: recommendation to the Town Board that R. Davis be appointed Chairman for 2015
3. Letter dated 12/16/14 from the Clerk to the Town Clerk re: Clerk's reappointment
4. Letter of interest and resume from J. Braun re: Board vacancy
5. December 2014 ZEO report
6. January 2015 ZEO report
7. February 2015 ZEO report
8. February 3, 2015 ZBA meeting minutes ( to replace regular January mtg.)
9. February 24, 2015 ZBA draft minutes
10. Letter dated 2/27/15 to R. Davis from Cary Institute re: training on 3/21/15
11. Letter from CLC to R. Davis re: tax payment made to the Town on Schor property
12. Email from Ian Hooper to Supervisor re: request to be reappointed to Planning Board

Additional business

1. Appointment of a Deputy Chairman for 2015  
MOTION TO APPOINT PIERRE GONTIER AS DEPUTY CHAIRMAN-  
Craig Dillon Second- Chad Lindberg

Roll call

Chairman Ron Davis-yes  
Marlene Tuczinski-yes  
Craig Dillon-yes  
Pierre Gontier-abstain  
Chad Lindberg-yes adopted  
Michael Belknap-yes

2. MOTION TO GO INTO EXECUTIVE SESSION- Michael Belknap  
Second- Pierre Gontier All in Favor

MOTION TO OPEN THE MEETING AND CLOSE THE EXECUTIVE SESSION-  
Pierre Gontier Second- Chad Lindberg All in Favor

This was to discuss personnel issues and no decisions were made in Executive Session.

Ron asked the Board if they wanted to make a recommendation to the Town Board about the vacancy.

MOTION TO RECOMMEND IAN HOOPER BE APPOINTED TO THE BOARD-  
Craig Dillon Second-Michael Belknap All in Favor

Roll call

Chairman Ron Davis-yes  
Marlene Tuczinski-yes  
Craig Dillon-yes  
Pierre Gontier-yes adopted  
Chad Lindberg-yes  
Michael Belknap-yes

3. Ron said he had spoken to Dave Everett. DEC has changed things in what they now want Love's to do. The storm water plan could be done as a reuse. However new personnel at DEC said it is virgin land. So now DEC said half can be considered reuse and the other half is virgin land. There is still no DOH permit/approval. Mr. Everett said he is surprised that Love's has not pulled out yet. Mr. Everett has been doing less work on this and currently Rob Osterhoudt of Bohler Engineering is working with DEC and DOH.

There was no more business before the Board.

MOTION TO ADJOURN- Marlene Tuczinski Second-Craig Dillon All in Favor  
The meeting was adjourned at 8:55pm.

Respectfully submitted,

Tammy C. Flaherty  
Planning Board Clerk