



Town of Canaan

Planning Board Regular Meeting Minutes – ~~UN~~APPROVED

February 18, 2019

Present: J. Pierre Gontier, Chairman
David Birch, Planning Board Member
Jens Braun, Planning Board Member
Mark DeSanctis, Planning Board Member
Marlene Tuczinski, Planning Board Member

Absent: Chad Lindberg, Deputy
Jeffrey Sotek, Planning Board Member

Others Present: Matt Vercelletto, Daniel Sharry and Rachel Clark

I. Call to Order

Chairman J. Pierre Gontier called the Regular Meeting of the Planning Board to order at 7:15 p.m.

II. Regular Meeting

Case No. PB-2019-013 - Canaan Self Storage (70.-1-10)

The Applicant is requesting Site Plan Review approval for the construction of a roof-mounted solar system to be located on the existing Canaan Self Storage facility at 30 Flints Crossing Road.

Matt Vercelletto appeared on behalf of the Applicant. This is a continuation of the solar array installation for TJB which the Board has been reviewing. Chairman Gontier advised the Board that the Applicant had been given the option of being reviewed under the newly-amended Solar Law, since they refiled for review, which review has not yet been undertaken by the Board. The Applicant stated for the record that it would like to be reviewed under the amended law, which is a simpler process and more favorable to the project than the original version of the law.

Chairman Gontier said he had no issue with approving the Site Plan that is in front of them under the amended Solar Law of 2019 which allows the production of electrical energy which was previously limited to 110% to 200K per year and removes any restriction of not being able to construct a raised system. It also brings the Town into compliance with an updated method for remote net metering.

Member Birch asked if the new law allows production to 200K, and Chairman Gontier confirmed it does. Chairman Gontier previously distributed the a copy of the new law to the Board.

Member Birch made a motion to approve this Application, which motion was seconded by Chairman Gontier. The vote carried, as follows:

J. Pierre Gontier, Chairman	Aye
Chad Lindberg, Deputy	Absent
David Birch	Aye
Jens Braun	Aye
Mark DeSanctis	Aye
Jeffrey Sotek	Absent
Marlene Tuczinski	Aye

Chairman Gontier stated that this Application is now complete, and advised the Applicant to appear before the Zoning Board at its next meeting to let them know that the Planning Board has approved the project. He then stamped multiple copies of Applicant's plans.

Case No. PB-2019-014 – Steven & Susan Anderson (48.-1-32.2 & 48.-1-33)

The Applicant is requesting a boundary line adjustment on their property located on New Concord Road.

No one appeared on behalf of the Applicant; therefore, the matter will appear on the March agenda.

Case No. PB-2019-015 – Daniel Sharry and Rachel Clarke (70.-1-44)

The Applicant is requesting Site Plan Review to utilize an existing auxiliary structure on their property located at 12532 State Route 22 to operate a dog daycare and training facility.

Chairman Gontier advised the Board that he had conducted a site visit with the Daniel Sharry where he took pictures of the property which were distributed to the Board. This is a home occupation business being conducted in an accessory building. The matter was referred to the Planning Board by the Code Enforcement Officer and the Zoning Board of Appeals. The ZBA has already sent the application to the Columbia County Planning Board ("CCPB") for review, and this Board is obligated to do the same thing because the Applicant's property is located within 500' of a state highway. [At the Board's request, this Clerk will submit the matter to the CCPB for review. Since the CCPB's review will not be completed by the next Planning Board meeting, the Applicant was advised that they would be placed on the April agenda.]

The Applicant described the project and its location to the Board. An existing barn on the property will be used; it is located 200'-300' off the highway. Member DeSanctis asked where the nearest neighbor is located, and the Applicant said they are located over 1000' from the nearest residential neighbor.

The Applicant confirmed there would be no boarding. Each dog will be evaluated for temperament and grouped based on their weight. They expect to have 10 large dogs (over 55 pounds), 12 medium to large dogs (from 36-55 pounds), and up to 20 small dogs (up to 35 pounds).

They will do obedience training, pet first aid and cpr at the facility. They will hold 1-2 obedience training classes per month, to be held one weeknight (6:30-7:30 p.m.) and one Saturday morning (10:30-11:30 a.m.) per month. The daily hours of operation will be from 8:00 a.m. to 6:00 p.m. There will be no late-night activity at the facility.

Chairman Gontier said this is not a kennel operation and no housing will be provided. The only issue he found doing the site visit is the sketch plan shows 26 parking spaces of 10' x 20' which is a little excessive – this will be corrected on an amended site plan.

The Applicant's house is located in Massachusetts just over the state line, and the barn is located in New York (the property borders both states). Member Birch asked if the Planning Board has authority to review this matter and approve a home occupation where the home is in a different state, and Chairman Gontier confirmed they do because they are planning to conduct their activity in New York.

Member Tuczinski asked what is the maximum number of dogs that will be there at one time. The Applicant believes they will average 10 dogs per day, but this number will be based on the weight of the dog, as previously stated. There will be no feeding or medication given onsite, so there is there will be no storage of food.

All animals will be on a leash at all times while in the parking area and going into the facility where they will enter through a double-gated "safety gate". Everything is fenced in. It is open free-range but still very structured. All drop offs and pick ups are scheduled and must be done by reservation (no walk-ins). Obedience training lessons will be done after all "day care" dogs have left. The number of dogs in these classes is limited and the same safety rules will apply. Outside dogs who are not there for daycare can come for obedience training.

Member DeSanctis asked if there are any bathroom facilities in the barn, and the Applicant said there are not. Basically, the public will be dropping off and picking up their dogs, so bathroom facilities are not necessary. Member DeSanctis asked about people attending the dog obedience classes and if bathroom facilities were required for them. Chairman Gontier said because it's a home occupation and not a commercial facility, bathrooms aren't required. The Code Enforcement officer is the one who has control over that.

Member Brauns asked if there is a plan where garbage and waste will be disposed of, and the Applicant said there will be a separate bin for that purpose. They have already confirmed the proper disposal method with their garbage carter.

Chairman Gontier said he will send the Town of Richmond a formal letter advising them that the Canaan Planning Board is reviewing this matter. Member Birch asked if the Town of Richard had to approve it too, and Chairman Gontier said he will look into it. The Applicant said this issue came up with the Canaan ZBA too, and they determined they did not need to notify the Town of Richmond. Chairman Gontier will check to see if the other town needs to be notified.

Chairman Gontier advised the Applicant that the Board cannot yet approve this matter, but they can accept it as a preliminary application. The Applicant needs to provide a map that is all in one piece (it is currently on two separate page), they need to revise the parking area to 11' x 20', and they must wait for comments from the CCPB. This matter will appear on the April agenda for further review.

III. Minutes Review/Approval

The minutes of the January 21, 2019, meeting were reviewed and approved, as corrected, by motion made by Chairman Gontier and seconded by Member Braun. The vote carried, as follows:

J. Pierre Gontier, Chairman	Aye
Chad Lindberg, Deputy	Absent
David Birch	Abstained
Jens Braun	Aye
Mark DeSanctis	Aye
Jeffrey Sotek	Absent
Marlene Tuczinski	Aye

IV. Other Business:

The Board had a general discussion regarding issues with the Cell Tower Law. Chairman Gontier thinks an attorney specializing in this area of the law should review the Town Law to see if Canaan needs to amend its local law to conform to federal guidelines.

Member Lindberg made a motion to adjourn the meeting at 8:20 p.m., which motion was seconded by Member DeSanctis. The motion carried as follows:

J. Pierre Gontier, Chairman	Aye
Chad Lindberg, Deputy	Absent
David Birch	Aye
Jens Braun	Aye
Mark DeSanctis	Aye
Jeffrey Sotek	Absent
Marlene Tuczinski	Aye

Respectfully submitted,

Donna M. Gedeon

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Planning Board Clerk