

**Town of Kinderhook
Planning Board Meeting
3211 Church Street
Valatie, NY 12184
January 21, 2021**

Draft

Minutes

Meeting Zoom Recording

The Town of Kinderhook Planning Board met on Thursday, January 21, 2021, at 7:00pm via Zoom. The Chairman called the meeting to order and the secretary called the roll.

A. Roll Call

Present:

Jonathan Cavagnaro, Vice-Chair
Guy Rivenburgh
Patrick Prendergast, Engineer
Andy Howard, Town Attorney
Jake Samascott, Ag Member
Joseph Suafoa
Dale Berlin
David Mooney, Alternate
Patrick Ball
Mark Browne, Alternate
Nataly Dee, Secretary

Excused:

None

Absent:

None

Also in attendance:

Various applicants, representatives and public

B. Correspondence

1. Review of Minutes:
November 12, 2020
November 19, 2020
December 10, 2020
December 17, 2020

C. Public Hearings

1. 7:03 PM - PCJ Development, Coney Island Auto, 3405 Rt 9, Valatie – Site Plan Review;

The notice was read by the secretary (on file). Mr. Cavagnaro address correspondence received earlier in the day.

Mr. VanAlstyne address the board and the public and reviewed the scope of the proposal. He noted the location of the parcel on Route 9 and stated that it is an approximately 2 acre parcel in the B1 Zone. Used car sales and display lot with an after market detailing shop. Square footage of the proposed building was indicated on the plans. Parking is in the front for the display lot and on the side for customers and employees. Mr. VanAlstyne addressed the 4 sheet that comprise the plans: Sheet 1 is the site plan; Sheet 2 details the paved display lot with pole

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lighting and exterior building lighting; Sheet 3 shows building elevations; Sheet 4 details drainage and drywell design. Mr. VanAlstyne noted that the septic system and drainage designs are still under review and pending approval.

Mr. Calcagno addressed the board. He stated the intention is to have a used automobile sales lot at the front of the building and detail shop at the rear of the building. Hours of operation for car sales would be 9:00am to 9:00pm. The detailing shop would open earlier, approximately 7:00 and not go beyond 9:00pm, but likely would close earlier than that. Mr. Calcagno stated that most initial contact by customers is through website and email with appointments made subsequently. He was not anticipating much or any unexpected customers, especially at this time.

Mr. Berlin inquired about the business structure, asking if it was one business or two distinct businesses.

Mr. Calcagno responded that it is one business with two services. He stated that there may be two business names, Coney Island Auto and Van Buren Detail, but they would be under one LLC.

Mr. Rivenburgh addressed the proposal of asphalt for the display lot. It was determined that that is what the code requires.

Mr. Ball made a motion to open the public hearing. Mr. Rivenburgh seconded the motion. All in favor. Motion carried.

Mr. Prendergast stated that he has not received septic and drainage plans for review. Lighting was reviewed. The cut sheet was submitted, but has not yet been reviewed. Mr. VanAlstyne noted that they are fully hooded LED wall packs. 20' slender poles are proposed, with 2 candle powers.

Mr. Cavagnaro invited the public to address the board.

Brother David of St Joseph's addressed the board. He addressed the email that was received from him earlier in the day which was forwarded to the Chairman. Brother David stated that this was the first they were hearing of this proposal. He provided detail about the 450-acre abutting and surrounding lands held in conservancy by St. Joseph's. He made note of the Rosary Walk and expressed concern about the location and potential negative impact such an establishment could create. He also expressed concern about the proximity of the proposal to the soccer fields used by the Ichabod Crane Soccer Club specifically in regard to safety concerns. He stated that he felt that this proposal would completely change the atmosphere of the property which is residential and a retreat center. He had additional concerns about the environmental impacts of such endeavor. They are opposed to this use of the land and object to the proposal. He posited that there is a more suitable location in the town with more land and less intrusive to the neighbors.

Mr. Cavagnaro thanked Brother David for his comments. He asked if there was anyone else in the public who wished to speak in regard to this application.

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Mr. Brown stated that he appreciated the Brother's remarks and concerns. He noted that the lot in question is zoned for business and asked if there was anything that could be done to buffer St. Joseph's property that would help to lessen the potential impact. Brother David said that buffering would be appreciated.

Mr. Berlin offered that the public hearing could be left open and adjourned until next month allowing for more time for review. Additionally, he stated that it is in the board's purview that additional screening along the property line be a requirement of approval.

Mr. VanAlstyne thanked Brother David and the board for their comments. He stated that he had the pleasure of surveying the land for St. Joseph's Brotherhood and he knows the beauty of the property. He addressed the location of the proposed building noting that it was placed as far from the property line as possible. He noted the 35' setback with natural vegetation.

Mr. Calcagno invited the board members to go look at the site. In regard to safety, he thought it would be a positive thing having a business close to where the children are in case of an accident, there is a safe place close by where help could be sought.

Mr. Samascott made a motion to adjourn the hearing. Mr. Berlin seconded the motion. All in favor. Motion carried.

It was the general opinion of the board that additional screening along the southern property line needs additional attention and design review. Additional discussion ensued. It was noted that a berm is not necessarily the best option.

D. Old Business

1. Anthony Buono o/b/o Greenfield Real Estate, LLC, Rod and Gun Club Road Lot 1, Valatie - 44.-1-63.200 – Minor Subdivision;

Mr. Evan Young of Crawford and Associates, representing the applicant addressed the board. He reviewed the status of the proposal noting working with the Highway Department to better understand the requirements of approval for the proposed curb cuts. Additionally, they are working with the Water Department for new letters of understanding regarding the water and sewer access. More information should be available for the February meeting. Mr. Young also mentioned an application for the ZBA. Fees were also discussed. Lot areas specifically regarding open space requirements were also briefly addressed.

2. Green Dale Community Solar Farm, County Route 32, Kinderhook, Tax Parcel ID: 13.-1-6 – Site Plan Review;

Mr. Ward of Environmental Design Partnership representing the applicant addressed the board and noted that he is joined this evening by Giovanni Maruca of Eden Renewables. Mr. Ward explained the state and scope of the proposal noting that the application is also before the Town of Schodack Planning Board. A detailed power-point presentation was provided (on file).

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Mr. Maruca addressed the board and provided details about their organization and the intent of the proposal. Mr. Maruca explained the concept of Community Solar noting it gives members of the community the opportunity to get clean and discounted electricity. He noted that this is the third project they have in the Town of Schodack. He stated the project is at a 7.5-megawatt DC which exports 5 megawatts AC. The power Each project generates enough electricity to power over 1,000 homes. He addressed the savings potential to subscribers. He stated that after completion, they create a pollinator friendly habitat by reseeding with native grasses and wildflowers. Additionally, he noted that they focus on screening and adding trees and hedges, bird and bat boxes, and annual environmental studies. There is also an educational fund and opportunities for local school children. He also mentioned neighborhood outreach events.

Mr. Ward addressed the technical layout of the proposal. He oriented the area of the site plan and noted zoning in both the Towns of Schodack and Kinderhook. The parcel is approximately 129-acres. He noted the area of fencing and setbacks and the location of existing and proposed poles and the utility right-of-way. He addressed the area of disturbance and Army Corp wetlands area. Proposed areas of tree clearing and cutting were addressed. Access to the site was addressed. Two pad mounts and two additional poles are proposed. The visual analysis from the perspective of Route 32 was reviewed. Elevations and topography were addressed. It was noted that not panels are proposed for the Town of Kinderhook; all of the panels will be in the Town of Schodack. Hydrology and visual impacts are of concern to the board. It was stated that the panels proposed pivot from east to west as the sun passes over.

The process of lead agency was briefly discussed. Schodack Planning Board will be seeking lead agency.

3. Ammi Ribar (Old Kinderhook Auction Company), 3350 Route 9, Valatie, Tax ID#: 23.1-1-7.110 – Site Plan Review/Change of Use;

Mr. Ribar addressed the board. Plans submitted were reviewed. The parcel is 2-acres and includes a residence. Mr. Ribar addressed existing and defunct easements. There are 35 parking spaces. Exterior lighting was reviewed. Existing signage was noted. Mr. Ribar noted minor changes to the interior space.

A formal site plan review application has not been submitted. It was recommended that the applicant provide an updated site plan as the one submitted was dated. It was noted that it is in the interest of the applicant to do so. The existing lighting was discussed with note that it does not comply with the current regulations in the Code.

E. New Business

1. None;

F. ZBA Opinions

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1. None;

G. Liaisons

1. Village Planning Boards - Village of Kinderhook Zoning Board public hearing for The School is scheduled for 1/25/2021.
2. Town Board - Nothing to report at this time.

H. Other

1. Public Comment;

Mr. Cavagnaro and the other members welcomed Mr. Suafoa to the board.

Mr. Berlin made a motion to adjourn the meeting. Mr. Ball seconded the motion. All in favor motion carried. Meeting adjourned at 9:10pm.

Respectfully submitted,

Nataly D. Jones, Secretary