

TOWN OF NEW BALTIMORE PLANNING BOARD
Regular Monthly Meeting
February 10, 2022 – Page 1

The meeting was called to order at 7:14 p.m. by Chair Robert Van Etten followed by the Pledge of Allegiance. Other Board Members in attendance were Ann Marie Vadney, Bob Court, Lee Salisbury, Frank Orlando and Michelle Stefanik. Ken Finke was absent.

Old Business

Thomas Sterritt – Site Plan Application

Required Public Hearing was completed just prior to the start of this meeting. There was no further discussion to be held. Final Site Plans reflecting the location change of the proposed Building #3, subject of this Site Plan Application, back further from front of parcel and away from pond open waters and stream as indicated on initial site plan submitted, are to be provided.

WHEREAS, Thomas Sterritt, wishing to construct a 60x80-square foot pole structure for the storing of equipment and parts at his business located at 13388 State Route 9W, submitted a Building Permit Application; and

WHEREAS, Building Permit was denied by Code Enforcement Officer Jourdin and Mr. Sterritt referred to the Planning Board for Site Plan approval pursuant to Article VII, Section 112-28, Section C; and

WHEREAS, Thomas Sterritt submitted Site Plan Application at the December 9, 2021, Planning Board Meeting; and

WHEREAS, the Short Environmental Assessment Form was reviewed, with negative declaration given; and

WHEREAS, required 239 Application was submitted to the Greene County Planning Board with response received that it was a local decision with comment; and

WHEREAS, required Public Hearing was held on February 10, 2022, with members of the public offering no comment; and

WHEREAS, after further discussion at the February 10, 2022, Regular Monthly Planning Board Meeting, it was

RESOLVED, that the Thomas Sterritt Site Plan Application be approved with the condition that:

Revised Site Plan Maps containing building location change as discussed in Public Hearing be received by the Planning Board within 30 days of this date.

Moved by: Vadney
Seconded by: Court

Ayes: Vadney, Court, Salisbury, Orlando, Stefanik
Nays: None
Abstained: Van Etten
Absent: Finke

New Business

Lands of Anthony Santamaria – Minor Subdivision Application

Mr. Santamaria and Cindy Seaburg were present. Minor Subdivision, Short EAF, copy of deed and PDF of map had been received prior to meeting. \$225 (\$75 per lot) fee was presented at meeting for three-lot subdivision of property on Route 26. Parcel size to be Lot #1 2.32 acres, Lot #2 2.70 acres and Lot 3, the remaining property in parcel of 27.90 acres. Reason for subdivision is lots for son and daughter to build homes. Several discussions took place at same time regarding the location of ROW and easement and who was going to own what. Due to guard rails, an embankment along Route 26 and property terrain, best location for ROW and easement across Lot #1 to Lot #2 in the rear is right where it is currently depicted on the map. It was noted that Lot #1 would own the easement and anyone owning that parcel

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would have knowledge of the easement crossing their property. One alternative discussed in the several conversations taking place would probably have decreased the acreage of Lot #1 to less than two acres necessitating line change to meet the minimum acreage requirement and two separate driveways rather than one off of Route 26. Suggestion was made that they make sure it is clear for the owner(s)/future owner(s) who is responsible for right-of-way maintenance to prevent disagreements later on, that appropriate wording is included in documents.

It was moved by Van Etten and seconded by Vadney to classify the lands of Anthony Santamaria as a Minor Subdivision.

Ayes: Vadney, Court, Salisbury, Orlando, Stefanik
Nays: None
Abstained: Van Etten
Absent: Finke

Question 1(A) and 1(B) on Minor Subdivision Application were amended to reflect the acreage reflected on subdivision map and applicant initialed the change. Short Form EAF was gone through as follows:

Part 1 – Project and Sponsor Information

Name of Action or Project: *Anthony Santamaria Subdivision*

Project Location: *County Rte. 26, Climax, NY.*

Brief Description of Proposed Action changed to read: *Subdividing 27.90 acres into parcels of 2.32 acres, 2.70 acres and 22.88 acres to allow for the building of two single dwelling homes for family.*

1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? - **NO**
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? - **NO**
- 3a. Total acreage of the site of the proposed action? - **27.90 acres**
 - b. Total acreage to be physically disturbed? - **0**
 - c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor.- **27.90**
4. All land uses that occur on, adjoining and near the proposed action: **Rural (non-agriculture); Forest**
5. Is the proposed action,
 - a. A permitted use under the zoning regulations: - **Yes**
 - b. Consistent with the adopted comprehensive plan? - **Yes**
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? - **Yes**
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? - **NO**
- 8a. Will the proposed action result in a substantial increase in traffic above present levels? - **NO**
 - b. Are public transportation service(s) available at or near the site of the proposed action? - **NO**
 - c. Are any pedestrian accommodations or bicycle routes available on or near site of proposed action? - **NO**
9. Does the proposed action meet or exceed the state energy code requirements? - **NO**
10. Will the proposed action connect to an existing public/private water supply? - **NO**
11. Will the proposed action connect to existing wastewater utilities? - **NO**

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12a. Does the site contain, or is it substantially contiguous to, a building, archaeological site or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? – **NO**

b. Is the proposed action located in an archaeological sensitive area? - **NO**

13a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other water bodies regulated by a federal, state or local agency? – **Was answered YES**

EAF Mapper Summary Report showed a “Yes” answer for 13a with comment “Digital mapping information on local and federal wetland and waterbodies is known to be incomplete. Refer to EAF Workbook.” - Answer changed to “NO” and initialed by applicant.

13b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? - **NO**

14. Identify the typical habitat types that occur on or are likely to be found on the project site. **FOREST; AGRICULTURAL/GRASSLANDS**

15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? - **NO**

16. Is the project site located in the 100-year flood plain? - **NO**

17. Will the proposed action create storm water discharge, either from point or non-point sources? - **NO**

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? - **NO**

19. Has the site of the proposed action or any adjoining property been the location of an active or closed solid waste management facility? - **NO**

20. Has the site of the proposed action or any adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? - **NO**

Part 2 – Impact Assessment

1. Will the proposed action create a material conflict with an adopted land use plan or zoning Regulations? - **NO**

2. Will the proposed action result in a change in the use or intensity of use of land? - **NO**

3. Will the proposed action impair the character or quality of the existing community? - **NO**

4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)? - **NO**

5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway? - **NO**

6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities? - **NO**

7. Will the proposed action impact existing:
a. public/private water supplies? - **NO**
b. public/private wastewater treatment utilities? - **NO**

8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources? - **NO**

9. Will the proposed action result in an adverse change to natural resources (e.g. wetlands, waterbodies, groundwater, air quality, flora and fauna)? - **NO**

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10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems? - *NO*

11. Will the proposed action create a hazard to environmental resources or human health? - *NO*

Part 3 – Determination of significance

It was moved by Van Etten and seconded by Orlando that for the for the purposes of SEQR, the Santamaria minor subdivision would have a negative impact on the environment.

Ayes: Vadney, Court, Salisbury, Orlando, Stefanik
Nays: None
Abstained: None
Absent: Finke

Public Hearing on application was scheduled for 7 p.m. on March 10. Blue sheet explaining the certified letter notification of Public Hearing process was provided.

Blue Sheet

Discussion was held regarding making further clarification and changes to what the Board calls the “blue sheet” which explains the certified mail process and is given to applicants when Public Hearing on application is scheduled. These are as follows:

... If not provided by the Board at time of Public Hearing scheduling [Added wording to this point, the names and addresses of the property owners of record to whom you need to send letters can be obtained from the Assessor’s Office located here at Town Hall during regular business hours.

...The letters should be sent out 15 business days [previously read ten days to two weeks] prior to the Public Hearing by certified mail, return receipt requested.

Solar Moratorium

Mr. Van Etten advised with the moratorium now in place, he believed the Town Board would be looking to the Planning Board for assistance. The Board was asked to review the Town of Coeymans Solar legislation which he had sent to them.

Site Plan Approvals

With question having been posed to the Clerk regarding how long the approvals are good for and with a couple of projects possibly coming before the Board in the very near future, the Board was reminded that an applicant has a year following Site Plan approval in which to obtain their Building Permit. If the Permit is obtained, then the Site Plan approval is good for an additional two years.

Adjournment

At 8:15 p.m., it was moved by Vadney and seconded by Court to adjourn the meeting.

Ayes: 6 Nays: 0 Abstained: 0 Absent: 1

mbl