

**Town of Greenport Planning Board  
Meeting Minutes for September 27, 2016**

The Planning Board meeting of September 27, 2016 was called to order at 7:30 by Chairman Stiffler with the Pledge of Allegiance. There were 8 people in attendance. Present:

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| <input checked="" type="checkbox"/> Edward Stiffler, Chairman      | <input checked="" type="checkbox"/> Paul D’Onofrio, Member        |
| <input checked="" type="checkbox"/> Robert MacGiffert, Co-Chairman | <input checked="" type="checkbox"/> Sandy Kipp, Member            |
| <input checked="" type="checkbox"/> Michael Bucholsky, Member      | <input checked="" type="checkbox"/> Ray Jurkowski, Engineer       |
| <input checked="" type="checkbox"/> Virginia Benedict, Esq.        | <input checked="" type="checkbox"/> Jennifer Pinkowski, Secretary |
| <input type="checkbox"/> John Florio, Building Inspector           |   |

Robert MacGiffert motioned to approve the minutes of the August 23, 2016 meeting. The motion was seconded by Sandy Kipp. All in favor, and carried.

**Old Business:**

**Hudson Veterinary Hospital & Animal Clinic** – The applicant, Bernardo Mongil and Ann Harrison from Country Life Real Estate was present on behalf of the Hudson Veterinary Hospital & Animal Clinic.

7:35 p.m. The Public Hearing Notice was read preceding the Public Hearing for the Hudson Veterinary Hospital and Animal Clinic. Chairman Stiffler asked if anyone was present to speak for or against the project. Helen Shallo of 264 Washington Blvd. asked if there would be animals left over night. Dr. Mongil replied there may be a rare occurrence due to unforeseen circumstances, but that would be very unusual and if it were to happen and an animal had to stay the night, it would be sedated. Mrs. Shallo asked if he would have any animals outdoor and he replied no. She also asked if he had any intentions of expanding in the future and Dr. Mongil replied that he would not.

7:45 p.m. Mr. MacGiffert motioned to close the Public Hearing. The motion was seconded by Sandy Kipp. All in favor, and carried.

Sandy Kipp motioned to approve the project. The motion was seconded by Mr. D’Onofrio. All in favor, and carried. Site Plan approved.

An invoice was provided to the applicant for the Public Hearing fees. A check was issued for the fees.

**Lorbrook Realty, Inc.** – Andrew Aubin of Crawford and Associates was present on behalf of Lorbrook Realty. He gave a brief introduction.

Mr. Jurkowski read Part II of SEQRA. All the questions were answered by the board as small to no impact.

Mr. MacGiffert motioned to close SEQRA with a Negative Declaration. The motion was seconded by Sandy Kipp. All in favor, and carried.

It was noted that an easement would no longer be needed.

7:55 p.m. The Public Hearing Notice was read preceding the Public Hearing for Lorbrook Realty, Inc. Mr. Aubin gave a brief introduction. Chairman Stiffler asked if anyone was present to speak for or against the project. There was no one.

8:05 p.m. Sandy Kipp motioned to close the Public Hearing. The motion was seconded by Mr. MacGiffert. All in favor, and carried.

Mr. MacGiffert motioned to approve the Sub-division and Site Plan with condition of receiving letters. The motion was seconded by Mr. Bucholsky. All in favor, and carried. Sub-division approved.

An invoice was provided to the applicant for the Public Hearing fees.

**Condition:**

- Letters Required: Highway Dept., Water and Sewer Dept. and Fire Dept.
- Provide a deed that will combine the parcels sent to Ginger Benedict, Esq. for review.
- Checks for fees: \$300 Application fee, \$1,000 Escrow, \$3,300 Mitigation and the Public Hearing fees.

**Ford/Morton/MARR Property Group Inc.** – Peter VanAlstyne, Surveyor was present on behalf of Ford, Morton and MARR Property Group. He gave a brief description of the proposal.

8:35 p.m. The Public Hearing Notice was read preceding the Public Hearing. Mr. VanAlstyne gave a brief description of the proposal. Chairman Stiffler asked if anyone was present to speak for or against the project. There was no one.

8:35 p.m. Sandy Kipp motioned to close the Public Hearing. The motion was seconded by Mr. Bucholsky. All in favor, and carried.

Mr. MacGiffert motioned to approve the project conditionally. The motion was seconded by Mr. Bucholsky. All in favor, and carried. Sub-division approved.

**CO-ARC Cardinal Hall Relocation** – Bruce Drake, Chief Operating Officer, and Chris Smailer, from Dutton Architecture was present on behalf of CO-ARC. Chairman Stiffler then read an email from Mr. Drake, and clarified the planning board's concern is with traffic, parking and the client's safety.

Ginger Benedict, Esq. recused herself from representing the planning board as she has represented the applicant in the past.

Mr. D'Onofrio motioned to seek out another attorney for a temporary replacement. The motion was seconded by Mr. MacGiffert. All in favor, and carried.

The Planning Board requested that the owner of the Plaza or his representative attend next month's meeting.

Sandy Kipp stated for the record that she was an abutting land owner and doesn't feel it will impact her decisions for this application. Neither the board nor the applicants objected.

**Ann Onet** – No one was present on behalf of Ann Onet. Applicant requested to defer until October meeting. This is the second meeting missed. The board will request a written response from the applicant.

**Colarusso Quarry Co.** – Chairman Stiffler stated that our board received a letter sent to DEC by the Hudson Planning Board outlining their reasons for requesting lead agency and our Attorney, Ginger Benedict, Esq. has forwarded the Greenport Planning Boards letter as well. There has been no response from DEC to date.

**Dziubelski Apartments** – No one was present on behalf of Dziubelski Apartments. The board received a letter dated September 19, 2016 updating the progress of their state and county approval process.

**TRG Property Management** – No one was present on behalf of TRG Property Management. The applicant requested they be continued to the October 2016 meeting.

#### **New Business:**

**Pondside Nursery** – Jake Watts was present on behalf of Pondside Nursery. He gave a brief introduction of his proposal. Mr. Watts was asked to provide a full Site Plan outlining everything that will be done. Mr. Watts stated the easement that was requested had been sent the attorney's office.

**Sunstream Solar** – Attorney, Dan Tuczinski was present of behalf of Sunstream Solar, as well as Brenda Crawford, Engineer, Richard Fortin, Randy Nelson of Crawford Associates, Tony Jones, Chairman of CEDC, and Pat MacGowen from Dynamic Solar. Chairman Stiffler stated for the record that he has worked with Mr. Tuczinski in the past and doesn't feel it will impact his decisions for this application. Neither the board nor the applicants objected. Chairman Stiffler also stated for the record that he works with Mr. Jones on the Columbia Economic Development Corporation and doesn't feel it will impact his decisions for this application. Neither the board nor the applicants objected. Virginia Benedict, Esq. stated that Carl Whitbeck, from her firm had previously worked for the applicant and she would need to recuse herself from this matter.

Attorney Dan Tuczinski introduced those present on behalf Sunstream and handed out packets of information to the Planning Board members. Mr. Tuczinski stated that they could not give the planning board all the information about poles and electrical because that information was not available until later in the project, referencing section 101 – 611 stating that in connection with a site plan application the applicant is only obligated to providing the general location, and all present and proposed utility systems, which may include phone, cable and electrical systems.

Brandy Nelson then stated that her firm represented Sunstream for the initial application back in December 2014 which consisted of two sub-division and a site plan application. They had acquired approximately 20 acres of land from Ken Crane and then acquired a 50 foot strip of right away on the eastern end for access from the Colarusso's. Ms. Nelson provided a narrative of the initial application process, stating that this site was selected specifically for its proximity to the National Grid infrastructure and because a lot of the adjacent property has heavy industrial use. Ms. Nelson noted that the new application shows some changes, as there aren't as many panels as shown on the original site plan. It was noted that the power is being generated for two different entities so there are two inverter stations.

Patrick MacGowen then stated that the utility poles were not know until after the site plan process as they would then go to National Grid with the approved Site Plan and they would do their report, then they start their engineering. National Grid hadn't gotten that report back to them until June of 2016 which is when the location and number of poles were determined. The total number of poles is eleven. There are eight customer owned poles and three owned by the utility themselves. Chairman Stiffler asked if this process is done in all of their projects and Mr. MacGowen stated that it is different based on the utility company and what state it is in.

Richard Fortin of Sunstream asked Mr. MacGowen to elaborate on the purpose of the poles. Mr. MacGowen stated that the power is brought from the inverters underground up the Riser Pole that then gets terminated at the top and then it goes to the next pole and drop down to the meter. He continues to give further description on the purpose of the poles.

Attorney Dan Tuczinski then provided the board with copies of the original plans and discussed the original process. He noted that there was a letter from the County Planning Board that it would be necessary for the applicant to contract with National Grid which had not occurred to date. A building permit was issued by the Greenport Code Enforcement Officer in February of 2016. The question of why these couldn't be put underground was addressed. Mr. Tuczinski stated that National Grid required them to be put above ground. There are a set of regulation in terms of what is required by the Public Service Commission. He also noted the requirements of installing a grid pursuant to National Grid guide lines, which is a lengthy document. Mr. Tuczinski stated that things are further complicated by the fact that they are servicing two health care providers, St. Peters Hospital and a separate entity that required them to design this with that in mind. Mr. Tuczinski requested that the planning board not require the applicants in this matter to amend their site plan since they provided all information that was required and that they had at the time of the original application.

It was stated that the applicant understands there is concern by a neighbor who had purchased his home after the approval of this application with three recommendations. First that they reduce the number of poles, second place the wiring underground or third moving the poles to other locations. However, none of those are options because they are unable to disturb what National Grid has designed and the Public Commission rules this.

Mr. D'Onofrio stated that he was on the planning board for the original application and at no time was it discussed, as it was discussed tonight, that there would be this type of detail from National Grid. No representative from any of these firms clearly stated at any point that there would be some type of trapeze or configuration as large as this.

Mr. MacGiffert stated that the original Site Plan showed only one pole was going to be erected and if the applicant knew that at some point there would be more poles to go up, they should have noted that and given the public the opportunity to speak on that during the first public hearing. During the original application process, the applicants at no time gave any indication that there would be more poles erected after approval. Chairman Stiffler stated that the minutes also reflect that there was mention of only a single pole.

Mr. MacGiffert motioned to seek out another attorney for a temporary council of this application. The motion was seconded by Mr. D'Onofrio. All in favor, and carried.

Chairman Stiffler asked that the applicant come up with alternatives to minimize the impact of these poles so the board can then bring this to public hearing with some options. He also clarified that just because the board is requesting an amendment to the original site plan doesn't mean the prior approval is being rescinded.

Mr. Jurkowski asked if the poles could be moved back further onto the site so they are not right along the roadway. He was told the Public Service provides the guidelines and they will not agree to move them. Mr. D'Onofrio recommended having a representative from the utility company come to the next meeting to discuss the issue. It was noted that moving the poles would be a tremendous loss in power and National Grid determines how close the poles need to be to the road for their shut off.

Mr. D'Onofrio motioned to do a Site Plan Review, including Public Hearing and referral to the County Planning Board. The motion was seconded by Mr. MacGiffert. A roll call vote was done. All in favor, and carried.

Chairman Stiffler requested that the already existing pole be noted on the site plan, along with the new poles, and to provide an updated list of abutting land owners and an updated Ag Data statement.

Mr. MacGiffert motioned to set a public Hearing for October 25, 2016 at 7:35 p.m. The motion was seconded by Mr. D'Onofrio. All in favor, and carried.

**Benjamin Funk and Shirley Unger** – Ms. Unger and Dan Russell were present. The board determined it would be a minor sub-division. This is a boundary line adjustment and there is no new parcel being created. The applicant needs to provide an easement for septic on B-1 and A-2. Ginger Benedict, Esq. requested that Mr. Russell remove the wording after “until” on the site plan since there will be no possibility of a septic system being added in the future.

Mr. MacGiffert motioned to set a Public Hearing for October 25, 2016 at 7:31 p.m. The motion was seconded by Mr. Bucholsky. All in favor, and carried.

Mr. Jurkowski read Part II of SEQRA. All the questions were answered by the board as small to no impact.

Mr. D’Onofrio motioned to close SEQRA with a Negative Declaration. The motion was seconded by Mr. MacGiffert. All in favor, and carried.

**Hudson Valley Fish Farm** – John Ning was present on behalf of the Hudson Valley Fish Farm and gave a brief introduction of the proposal.

Chairman Stiffler stated that the applicant should check with John Mokszycki for anything related to the water.

Mr. Bucholsky motioned that this would be a diminutive change and would require no further review. The motion was seconded by Mr. D’Onofrio. All in favor, and carried.

Chairman Stiffler stated that the applicant should return for the easement for the new water line from the south wells when it was needed and that they could bring the colored maps in on Monday for stamping.

**Other Business:**

Mr. D’Onofrio motioned to seek out Genevieve Trigg for council for the applications of CO-ARC and Sunstream. The motion was seconded by Mr. MacGiffert. All in favor, and carried.

**Timothy Melino Greenport Auto** – Chairman Stiffler gave an update, stating that he has not yet stamped the plans for Mr. Melino as the easement has not yet been provided to Virginia Benedict, Esq. and a revision of the map.

**Bopp, Barca, Barca & Grabowski** – Chairman Stiffler gave an update, stating that he has not yet signed the sub-division plans as the board is still waiting for a copy of the easement.

**TRG Façade** – Chairman Stiffler gave an update, stating that he has not yet stamped the plans as the board is still waiting for a letter from the Fire Chief approving the cut out.

**Training** – Chairman Stiffler stated there will be training classes on September 29<sup>th</sup> at Columbia Greene Community College for Solar Power and on October 17<sup>th</sup> for conducting meetings, making findings, etc.

**Site Plan & Vendor Law** – Chairman Stiffler announced that there will be a public hearing on October 5, 2016 prior to the Town Board meeting for the revision of these laws. There are copies of the marked up laws and amended laws prepared in each packet for the board members.

**Public Comment** – Mr. Apicella commented that the board showed great knowledge of their positions tonight and he feels they did a fantastic job.

Mr. D’Onofrio motioned to adjourn. It was seconded by Sandy Kipp. All in favor, and carried. 9:25 p.m. Meeting adjourned.

The next regular Planning Board meeting will be held Tuesday, October 25, 2016, at 7:30 pm.

Respectfully Submitted,

Jennifer Pinkowski  
Greenport Planning Board Secretary

cc:	Edward Stiffler, Chairman	Attorney Virginia Benedict
	Sandra Kipp	Town Clerk Sharon Zempko
	Robert MacGiffert	Building Inspector’s Office
	Paul D’Onofrio	Fire Chief Gary Mazzacano
	Michael Bulcholsky	NYS DOT
	Ray Jurkowski	Columbia County Planning Dept.
		Rapport Meyers (Via website)