

MINUTES of the Village of Montgomery Planning Board meeting held in the Conference Room of the Village Hall, Clinton Street, on Wednesday, October 25, 2017, at 7:30 pm.

ATTENDANCE: Chrm. Conero, Mbr. Weeden, Mbr. Crowley, Mbr. Steed, Mbr. Romano, Atty. Kevin Dowd, Eng. Dawn Kalisky of Lanc & Tully, Maria Beltrametti, Jay Samuelson of Engineering Properties, Dan Byam, Marc Devitt, Steve Hodge, Michael Gironda

OPEN: Chrm. Conero opened the meeting with the Pledge of Allegiance.

PUBLIC HEARING

RE: SUBDIVISION OF VILLAGE LANDS 205-1-3

A MOTION was made to OPEN THE PUBLIC HEARING AT 7:32 pm by Mbr. Weeden and seconded by Mbr. Steed and carried 5 Ayes, 0 Nays.

Ms. Kalisky said the Village is subdividing a piece of property that's behind the DPW, currently backing Village property that is used by the Village DPW, the garage, the police station. It's a 5.3 acre piece of land that they're subdividing it into 2.8 and 2.4 acres, roughly, two-lot subdivision. Lot #1 of 2.857 acres is going to be dedicated to parkland. This lot adjoins the existing pleasure grounds parkland so it's a good fit for this. The reason for the subdivision of the municipal land for dedication to parkland is the Village Board is going to alienate a portion of the parkland that is overlooking the sewer treatment plant. So, if you're going to alienate parkland, you have to replace it with parkland equal to. It's gone through the process with the State, Office of Parks Rec and Historic Preservation and they believe that this is far more as suitable as parkland. Once again, the trails all go through here (indicates on site plan) it's accessible by and will be brought into the pleasure ground park. The hill overlooking the clarifier for the sewage treatment plant will no longer be parkland.

Atty. Dowd said the legislature has approved, the Governor has signed the legislation that allows us to alienate about 4.7 acres of land in and around the sewer treatment plant to ultimately be used for a solar field. The idea that the Village has is to generate power to power the plant and essentially power other parts of the Village government's buildings. As Dawn said... parcel to that alienation of existing parkland was to find suitable lands that are of equal or greater value than that which is being alienated. We had appraisals done and the land that is parcel #1 had a value equal to the land they are alienating. The sewer plant is not a desirable place to be, not even for a park. They bought that to stop the development of a number of homes a number of years ago and it adjoins the sewer plant. On certain windy days it's not very happy to put a park bench there or a table. It's suitable for what they want to do with it, which is make it into a solar field. We did not have to actually come before the Planning Board and do a whole subdivision but the Village Board and the Planning Board thought that it was great to do it through the proper channels like everybody else and allow the public to make any comments they wish. That parcel is already in the legislation so they really have to do this, but still wanted public comments on this. As Dawn said, it's adjoining the parcel right now and it's going to be part of the parkland. The trails are right by that if not through it, so it is the perfect place to swap lands back and forth.

The Chrm. opened the floor for public comment:

Dan Byam – 90 Union Street – The process, the alienation litigation on a per dollar basis. If it were wetland, it would be 10-1 as far as area. What the DEC used to require.

Atty. Dowd said it's strictly on value now.

Mr. Byam asked, on value now? That's changed, then. The issue that I have with regards to parcel #2, the smaller parcel, is that I'm the large parcel adjacent to it and there is drainage from the street that comes down, actually under my property-it goes under the shed portion of my barn and was never any easement taken or anything. I'm positive of that, I did the research in Poughkeepsie years ago when I was a...for DOT. It was a...that I was never compensated for but he wanted to let them know that there is a lot of drainage that goes into that parcel. And the other concern that I have is that the DPW does push out a lot of dirt into that parcel, somewhat, and it creates a lot of noise with the trucks during the day. Being right there, I hear it. I don't know what the projected use is of that parcel, your letter just says municipal purposes. You can use it for anything, including selling it if you want, I guess, municipal purposes. But is there any projected use?

Atty. Dowd said this is the old Hadaway parcel that we purchased in the late 90's and it was designated for general municipal purposes with the idea that the DPW and the police department would be using it. So, there's no change in that use...they are expecting to use it for DPW uses. They want the option to have that additional expansion space for the Village.

Mr. Byam again asked if the DPW doesn't have any plans that you're aware of?

Atty. Dowd said not that he is aware of. That is why it is being kept as what it was purchased for was general municipal purposes, so if they need to expand their operations they could do so. To his knowledge, he hasn't been told that anything is changed there. Right now, the recycling may be there-leaves and brush.

Unidentified woman said it's already there? So it's not like it's adding on...

Atty. Dowd said no. It's been existing since they purchased it.

Mr. Byam said this is where the leaves and brush are, further this way?

Ms. Kalisky indicates on the map, in here.

Mr. Byam said there is an open area that they push dirt to, for some reason I don't know why and you can hear the trucks all the time.

Atty. Dowd said that that's a matter for the Village Board. If there's issues with drainage, that's where you should bring it, not to this...

Mr. Byam said he showed Buddy where the pipe was that he covered and now he's good at keeping it uncovered.

Atty. Dowd said you could talk to Buddy but also to the Village Board.

A MOTION was made to CLOSE THE PUBLIC HEARING FOR SUBDIVISION OF VILLAGE LANDS TO REPLACE PARKLAND BEING USED FOR A SOLAR FIELD by Mbr. Romano and seconded by Mbr. Weeden and carried 5 Ayes 0 Nays.

A MOTION was made to APPROVE THE SUBDIVISION OF VILLAGE LANDS TO REPLACE PARKLAND BEING USED FOR SOLAR FIELD by Chrm. Conero and seconded by Mbr. Romano and carried 5 Ayes 0 Nays.

RE: OLD BUSINESS

MONTGOMERY FIRE DEPARTMENT 202-1-8.2

Howard Weeden is representing the Fire Department. There are currently 3 truck bays in the front and in the rear of the building. The front bays deploy out to Route 17K. The 3 in the back deploy onto the driveway on the right hand side of the firehouse. The problem with this is they have firefighters coming in while firetrucks are going out. There are also rentals for the hall and the pavilion and they utilize the parking which makes it confusing and dangerous. They want to move the back bays to the front - expand the truck area and concrete to go in front of it.

Mike Gironda, President of the Montgomery Fire Department said they are trying to keep the firemen off Route 17K. They aren't expanding the exit going onto 17K. The small driveway will stay; it's the only other right of way onto the property.

Atty. Dowd questioned the driveway on the right side of the firehouse.

Mr. Gironda said it is a lease with Chambers. That's another issue they are trying to rectify. If something happens where Mr. Chambers wants to sell his property and wants to null and void their lease, they will lose access to the back. That's why it's important to keep this driveway so they can go back there if they have to and they can get the trucks out. Ms. Kalisky said there is no improvement as far as DOT. Mr. Gironda said it is strictly bays and bathrooms.

Ms. Kalisky discussed her comment letter. Number 1, indicate that it is a site plan and just for the building addition, add that it's only for an addition and that there is no additional landscaping or lighting proposed. Part of the parcel is in the Historic District so it has to be referred to the AHRB. Mr. Gironda states that they've spoken to that Board and since the house is off the property, they do not have to go before them; it's no longer considered historic. Ms. Kalisky asked how they are going to get through the SQRA process. Mr. Gironda said they did ask. Atty. Dowd said it is within 500 ft. of Route 17K, we have to refer it to the County Planning Department, because it is part of the historic district or part of the property is in it, we have to refer it to State Office of Parks and Recreation. It's all part of the process. A long EAF form is also needed. Mr. Gironda stated that they were told that once the two properties were merged, the boundary moved to the current front boundary. Ms. Kalisky also said that it is listed on the National Registry. Atty. Dowd said it still has to be referred to County Planning so they will not be losing any additional time.

Chrm. Conero noted that the site plan fees had been waived by the Village Board.

A MOTION was made to WAIVE THE PUBLIC HEARING by Chrm. Conero and seconded by Mbr. Steed and carried 5 Ayes, 0 Nays.

RE: NEW BUSINESS

LINDNER LOT LINE CHANGE 210-3-1, 7

Jay Samuelson of Engineering Properties is representing the applicant. He is here for a lot line change of two lots. Both lots are owned by the same owner. One has an existing dwelling and the other is a little over an acre. The proposal is to delete the rear lot line and move it to here for the residential dwelling (indicates on site plan). There is no proposed development on either lot, at this time. It is just a lot line change to give more area to the dwelling lot size.

Ms. Kalisky stated that the site plan was perfect!

A MOTION was made to DECLARE A NEGATIVE DECLARATION, TYPE 2 ACTION by Chrm. Conero and seconded by Mbr. Weeden and carried 5 Ayes, 0 Nays.

A MOTION was made to APPROVE THE LINDNER LOT LINE CHANGE by Chrm. Conero and seconded by Mbr. Romano and carried 5 Ayes, 0 Nays.

RE: MINUTES

A MOTION was made to ACCEPT THE MINUTES OF SEPTEMBER 27, 2017, by Mbr. Weeden and seconded by Mbr. Crowley and carried 4 Ayes 0 Nays.

RE: ADJOURNMENT:

A MOTION was made to ADJOURN THE MEETING AT 7:56 pm by Mbr. Crowley and was seconded by Mbr. Weeden and carried 5 Ayes 0 Nays.

Tina Murphy, Deputy Village Clerk