

MINUTES of the Village of Montgomery Planning Board meeting held in the Conference Room of the Village Hall, Clinton Street, on Wednesday, November 28, 2018, at 7:30 pm.

ATTENDANCE: Chrm. Conero, Mbr. Crowley, Mbr. Steed, Mbr. Romano, Mbr. McKenna, Atty. Kevin Dwd, Eng. Dawn DeSantis of Lanc & Tully, Maria Beltrametti, Walt & Mary Ann Lindner, David Tompkins, Michael Estela, Alana Mikhalevsky, Karen Lo, Marilyn James, Steve Snyder, Dean Langseder, Don Berger

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

OLD BUSINESS

RE: DARWIN SUBDIVISION 210-8-5.22

Atty. Dowd said last month a conditional subdivision approval was given, however, the County Planning letter hadn't been received. That makes the approval null and void. The County Planning letter was received 5 days after the meeting; on the 29th. The County letter stated it's a local determination. The approval needs to be re-approved.

A MOTION was made to (RE) APPROVE THE DARWIN SUBDIVISION SITE PLAN AS APPROVED BY THE PLANS, SUBJECT TO THE OCTOBER 16TH COMMENTS OF THE ENGINEER; EASEMENTS, (MODIFICATION OF THE VILLAGE EASEMENT) AND PENDING ANY OUTSTANDING FEES by Chrm. Conero, seconded by Mbr. McKenna and carried 5 Ayes 0 Nays.

RE: CITY WINERY – DISCUSSION

Mr. Winglovitz is there to update the Planning Board. They plan on making a formal submission for the December meeting. They sent draft documents to Dawn and Kevin (atty) for their review; expanded EAF for the Village Board. The plan has not changed substantially; refined the overflow parking area, the Mill will be converted into the event space, tasting room and café, distillery, hotel and bridal suite. The will have a platform overlooking the river. The only significant change is the direction of the stage; it will now face the hill. They have been conducting studies for the past few months; SHPO is reviewing, they completed the wetland delineation; the Army Corps has been there to walk it. It is in the flood plain. They have done the Eagle mitigation study. The nest is over 800 ft. from any activity on site-it shouldn't be a problem but there have been a number of comments. They are revising and resubmitting it within the week. There is an archeological investigation being done-they asked for an overlay of historic maps and buildings. The building is on the historic register and will be allowed tax credits so they want it preserved so the renovations are have to be strict and in compliance with the State. The initial submission was rejected. They resubmitted about 2 weeks ago on how they will do the renovations. Once they get that signed off, everything else should fall into place. The traffic study was done; it will be open opposite of peak time at the intersection of 17k & Factory. There is no derogation. They did make recommendations to improve the railroad crossing-upgrade the signage and striping. Noise impact study was done with no significant impacts.

Chrm. Conero asked if the parking lot was exiting on Patchett Way. Mr. Winglovitz said yes. The property has easement rights to it.

PUBLIC HEARING

RE: CENTRAL HUDSON 203-2-4.1

Dave Tompkins said the notice for public hearing and mailings were done but in the office. He assured the Planning Board that they would be brought to the Village Hall in the morning, November 29th.

A MOTION was made TO OPEN THE PUBLIC HEARING FOR CENTRAL HUDSON AMENDED SITE PLAN, by Mbr. Romano, seconded by Mbr. Steed and carried 5 Ayes, 0 Nays.

Mr. Tompkins is representing the applicant. This substation is existing right now. It was built in approximately 1949 with most of the equipment going into service in the 1950's. It's obviously approaching the end of its life expectancy. Central Hudson has proposed to upgrade this facility in place. It will be larger. It's approximately 0.2 acres in development, now, it may jump to 7/10 of an acre on the 1.1 acre parcel. It's about 3/4 of an acre. It will be raised about 12-18 inches—that's just structural fill. It's a pretty wet site and they will try to get the equipment up out of the water a little bit and reduce flooding from future storms; like storm hardening infrastructure that we are doing quite a bit of. They would like to break ground in April; demolition will be the first thing. They do have some tree clearing; about 8/100 of an acre of tree clearing has to be done. That will be done as part of a maintenance operation to protect the overhead transmission lines and that is scheduled for next week. We wanted to alert the Board that that is a maintenance operation going on. They have some proposed wetland impacts. They will impact about 0.07 acres of wetlands (indicates on supplied photo). The existing facility, right now, is about 2/10 of an acre. It's going to be .76 acres. It's still about 3/4 of the site developed. It's going to be about 230 ft. from the residential. It's not going to encroach. Some tree trimming will be done in here (he indicates on picture). The property line runs through these trees right here and we are not clearing to the property line. Just to update you, we have submitted the DOT application because we do have a road cut off 17K that is pending their review; we do not have a response yet. We do have a PC and a pre-construction application into the Corps of Engineers. We are proceeding under Nationwide 12, which allows up to 1/10 of an acre. We are only imposing an impact of .07 so we should be absolutely fine but as a conservative approach we decided to submit the PCF. That's it in a nutshell.

Ms. DeSantis asked if we received anything from County Planning. Ms. Murphy said yes and made copies for the Board. (The paperwork came after the packets went out).

Chrm. Conero said there are quite a few poles on your property, are those being taken out? Mr. Tompkins replied yes. It's getting cleaned up a little bit and some of the redundant poles will be removed.

Chrm. Conero asked if the gate construction a typical one for Central Hudson and is there any modifications they could make to it? Mr. Tompkins said they do have a proposed alternative more decorative one. Discussion amongst everyone regarding the gate.

Mbr. Romano asked if the gate would be free standing. Mr. Tomkins stated it will be at the entrance by itself and fences inside.

Chrm. Conero asked if anyone had any questions.

Chrm. Conero opened the public hearing to the public; state your name and address.

Walt Linder – 101 Jefferson Road – with the upgrade to the system, will the system be better able to take the in power from people who have solar? Feeding it back into the Central Hudson system?

Mr. Estela said yes essentially that is what they are planning this for; possible load growth and reliability. As far as the solar connections, they are mainly making the provisions for that.

Mr. Lindner said the Village is looking to put in a solar field by the DPW and sewer plant and the initial feedback at our last board meeting was that one of the ways they wanted to go was a fairly larger field the input, power generation would go back into the Central Hudson system and we would get credits for that. The other was called a single-user permit where we could only use that power for the sewer plant. The larger plant, which is what we would like to do, Central Hudson said they would charge us \$20,000 to evaluate their own system and if we were to go ahead with it, would charge us as much as \$250,000. It seemed way excessive. I'm just curious so that's good to know that it should make it easier to generate power.

Chrm. Conero asked if there were any more comments on the site plan.

Mbr. Steed asked if this would remain a 69KV substation. Mr. Estela said it the distribution side would change from a 4.4KV to 13.8 but that's only to match the existing distribution circuits in the area.

A MOTION was made to CLOSE THE PUBLIC HEARING FOR CENTRAL HUDSON AMENDED SITE PLAN AT 7:59PM by Chrm. Conero and seconded by Mbr. Romano and carried 5 Ayes 0 Nays.

A MOTION was made to DECLARE A NEGATIVE DECLARATION UNDER SEQRA by Chrm. Conero and seconded by Mbr. Crowley and carried 5 Ayes 0 Nays.

Ms. DeSantis said there are several modifications/clarification required on the site plan. Mr. Tompkins said they already have a permit request in to the DOT. The biggest concern is going to be the culvert in the right of way. It's sized appropriately and will be an improvement from what's there now.

Atty. Dowd asked Mr. Tompkins to provide a copy of the permit to the Planning Board once they receive it, for the files. Mr. Tompkins said he would.

Chrm. Conero asked what the lighting would be on the plans. Mr. Estela said there hasn't been a decision made yet. They plan on utilizing motion detector LED fixtures for security and safety purposes. The Chrm. expressed concern in lighting pollution.

Ms. DeSantis said there is a detail for an erosion blanket. Atty. Dowd asked about the County Planning response #2. Ms. DeSantis said they are flagged by the nationwide permit. Mr. Tompkins said that typically a construction fence goes up where there's going to be an encroachment that if an area is scheduled for impact, the construction fence will divide that so the orange fence is the boundary that no equipment approaches in it.

A MOTION was made to APPROVE THE AMENDED SITE PLAN SUBJECT TO DOT PERMIT, THE LANC & TULLY COMMENT LETTER RECOMMENDATIONS,

PROVISION OF THE PUBLIC HEARING CERTIFIED MAILING RECEIPTS BROUGHT TO VILLAGE HALL 11/29/18, AND ANY OUTSTANDING FEES PAID IN FULL by Chrm. Conero and seconded by Mbr. Crowley and carried 5 Ayes 0 Nays.

RE: MINUTES:

A MOTION was made to ACCEPT THE MINUTES OF OCTOBER 24, 2018, by Mbr. Steed, seconded by Mbr. McKenna and carried 5 Ayes 0 Nays.

RE: MEETING DATE CHANGE

A MOTION was made to CHANGE THE DECEMBER MEETING DATE FROM DECEMBER 26th TO DECEMBER 19th, by Chrm. Conero and seconded by Mbr. Romano and carried 5 Ayes 0 Nays.

RE: ADJOURNMENT:

A MOTION was made to ADJOURN THE MEETING AT 8:06 pm by Mbr. Romano and was seconded by Mbr. Steed and carried 5 Ayes 0 Nays.

Tina Murphy, Deputy Village Clerk