

Town of Rensselaerville, Planning Board
Meeting Minutes for November 6, 2014 – FINAL

Present: Rich Amedure, Walter Cook, Dorothea Cotter, Barry Kuhar, Scott Kunkler, Sherri Pine, Travis Smigel, and Dana Salazar.

Also Present: Mark Overbaugh (Code Enforcement Officer & Building Inspector), Ron Shelmerdine, and Rebecca Platel.

Rich Amedure, Chairperson, called meeting to order at 7:30 PM.

Motion to approve the minutes of September 4, 2014 made by Travis Smigel, seconded by Walter Cook, Sherri Pine and Barry Kuhar abstained, all in favor, none opposed, motion carried.

Motion to approve the minutes of October 16, 2014 made by Walter Cook, seconded by Travis Smigel, Rich Amedure, Sherri Pine and Dorothea Cotter abstained, all in favor, none opposed, motion carried.

In the Matter of: Shelmerdine/Christophorou – Annexation/Boundary Line Change: Crystal Lake Rd (135.6-1-9 & 135.-6-1-55.2)

Ronald Shelmerdine summarized his potential annexation/boundary line change project on Crystal Lake Road. Mr. Shelmerdine owns a .874 acre parcel (135.6-1-55.2). This parcel is on both sides of Crystal Lake Road and has lake access. He plans to give his neighbor a portion of this property (the portion on the lake side of the road) along with a 10ft strip of land connecting his neighbor's property to the Crystal Lake Road. The neighbor, Chris and Patricia Christophorou, own a .27 acre parcel on Delena Lane, which abuts Mr. Shelmerdine's property. This transfer of property would give the Christophorou lake front property and ownership of the 10ft strip of land that leads to Crystal Lake Road (on which they currently have ingress and egress rights). On the remaining portion of Mr. Shelmerdine's property would be his house. The Christophorous already have a house on their property. As a result of this transfer the Shlemerdine property would decrease in size from .874 acres to .62 acres, and the Christophorou property would increase from .27 acres to .52 acres. Both parcels are zoned as Resource Conservation 3 (RC-3).

At the Planning Board meeting on September 4, 2014 the application was denied because the remaining lots will not meet the minimum requirements for the lot size in the RC-3 zoning area, which is 10 acres. As such, a variance for the size of the parcels was needed before the Planning Board could proceed with the application. At the Zoning Board of Appeals meeting held on November 6, 2014, the area variance for the size of the parcels was granted.

The Board reviewed the application and maps. Mr. Shelmerdine noted that there are already residences on both lots and that no further building will be done on the parcels (this is stipulated in the current deeds and will be carried over into the new deeds).

This application was referred to the Albany County Planning Board in October. Their recommendation is as follows:

"Defer to local consideration:

1. *This board has found that the proposed action will have no significant countywide or intermunicipal impact. Defer to local consideration."*

Motion to accept and approve the annexation/boundary line change made by Barry Kuhar, seconded by Dorothea Cotter, all in favor, none opposed, motion carried.

In the Matter of: Special Use Permit – Rebecca Platel: Brewery at the Carey Institute (SBL 131.-1-31)

Rebecca Platel, representing the Carey Institute, provided an update on her progress with the wastewater system for their Farm Brewery.

At the September 4th meeting the Carey Institute submitted amended plans for wastewater disposal. Instead of using the septic system, the waste water would be held in a tank and removed on a weekly or bi-weekly basis, and brought to a farm to be used as fertilizer. The DEC reviews the application for this waste removal process. Ms. Platel explained that she was in the process of registering for this and would need to send the DEC a sample of the wastewater. On September 4th the Board determined that they would need complete plans and approval for the wastewater procedure before they can proceed with the application.

At the October 16th meeting, the plans were further amended; Ms. Platel explained that they planned to use a 200 gallon holding tank for the wastewater and have a licensed hauler haul it to a treatment facility. The SPDES permit will have to be amended if they plan to haul the waste to a farm. In the future they will work to spread the waste water on farmland, but this is not being pursued at the moment. The hold and haul process is being used instead of hauling to a farm. Under the hold and haul process the licensed hauler will be responsible for disposing of the wastewater. The Board asked that the 200 gallon holding tank be inspected by the Code Enforcement Officer prior to their approval.

Mark Overbaugh (Code Enforcement Officer) explained that he has inspected the tank. It is a 200 gallon tank and it is inside the building. There are floor and sink drains connected to the tank. Overall the tank is sufficient.

Ms. Platel explained that they will have the tank pumped out approximately once a month. She added that they are still planning to pursue the land application for the waste water (hauling it to a farm), but this application will take some time. If they pursue land application the Carey Institute will become the hauler and they will need to register with the DEC.

The Board noted that if the application is approved with the hold and haul as the disposal method, then the Carey Center would need to reapply for the Special Use Permit if they change the disposal method to land application. Ms. Platel noted that she wanted to obtain local approval for the brewery before she applied for State and Federal approval. However, if changing the disposal method would require her to re-apply for the Special Use Permit, she may consider waiting until the land application registration is complete and then appeal to the Planning Board for final approval.

The Board and the applicant mutually agreed to keep the application open until the land application registration with the DEC is complete. If the issue is not resolved by February 2015 then an additional public hearing may be necessary before final approval is given.

Motion to adjourn meeting at 8:10 made by Sherri Pine, seconded by Scott Kunkler, all in favor, none opposed, so moved.

Respectfully submitted,
Mary Carney, PB Secretary