**TOWN OF POESTENKILL**

38 Davis Drive / P.O. Box 210

Poestenkill, NY 12150

**PLANNING BOARD**

**Planning Board Minutes**

**March 5, 2024 @ 7:00 PM**

**Poestenkill Town Hall**

**(DRAFT)**

**Attendees: Non-Voting:**

Rob Bentz, Chairperson Lawrence Howard, ESQ.

Steve Valente Stephanie Volkmann, Clerk

Laura Burzesi Brandon Harris, Alternate

Vicki Spring

Jeff Briggs

Harvey Teal

Don Heckelman

**7:00 PM – Pledge of Allegiance**

**Meeting Minutes:**

Meeting minutes from February 6, 2024 were reviewed. A motion to approve the minutes was made by Member Valente and seconded by

Member Spring with a vote of (7) yays, (0) nays and (0) abstention.

**Public Hearing:**

Orsini:

Mark Wagner, ESQ. with The Wagoner Firm PLLC, represented the Orsini’s at the public hearing on a Special Use Permit application for a venue using 2 acres of their 51 acres. The application is for the Orsini’s to host special occasions and gatherings for a fee. These events shall occur during the Spring, Summer and Fall seasons on weekends and/holidays exclusively between the hours of 10 a.m. and 10 p.m.

7:06 PM – A motion was made to open the public hearing by Member Briggs and seconded by Member Teal with a vote of (7) yays, (0) nays and (0) abstentions.

Chairperson Bentz Read the public hearing.

**Public Comments:**

A letter from abutters, Ed and Elizabeth Fahrenkopf sent a letter to the town expressing their concerns on the Venue. Their home is approximately 1400 feet due south of the proposed venue location. Fahrenkopf’s concerns would be alleviated if the following two conditions were included in any approved variance.

* Music be confined to an enclosed building, no open pavilion or tents. The current sketch plan does not include any building.
* Hours of operation with music be limited to 10 PM.

Letter is on file at the Town for further review.

Mr. Wagner ESQ. reviewed the project for the residents.

Ed and Elizabeth Fahrenkopf were present and restated the same concerns they have in the letter.

Michael Lo Sauro at 279 Blue Factory Road expressed his concerns:

* Which entry off Blue Factory Road will be used since there are two. The first one with the bridge will be closed and the second one farther up on Blue Factory Road will be used.
* Michael mentioned that the corner the venue is on is very sharp and very dangerous. There have been car accidents and a fatal motor accident already on the curve.
* Michael has a concern with the noise
* Getting transit opportunities such as Uber on the mountain on a Saturday night will be difficult
* He is concerned that there’s accidents on low traffic days and now concerned on high traffic days.
* He is ok with the venue as long as there are plans in place for safety.
* Michael likes the Orsini’s; thinks they are good neighbors but hoping they realize the responsibility that comes with the venue.

Shawn Chamberlain at 42 Columbia Hill Road was unsure what was going on with the property and what was it being used for. He is unfamiliar with the Orsini family. His concern was if it was going to be used for hiking or something similar. Chairperson Bentz showed him the map and explained what the Orsini’s were looking to do. He is concerned if there will be boundaries, so people are not just wandering around.

Member Heckelman wanted to know if a traffic study was ever done. It was a major concern at the beginning of the application process. There was nothing presented to the board for a traffic study.

Member Valente feels that a traffic study will not change the fact of possible accidents. Member Valente respects the Orsini’s.

Member Teal concurs with Member Valente and says the area is a quiet rural area and the road is very dangerous with the sharp curve therefore, its not a good fit for this particular rural neighborhood. Residents that use Blue Factory Road everyday knows it is dangerous. The increased volume of potentially impaired drivers would increase the probability of a serious traffic incident,

Chairperson Bentz read the code in the Town code book, for the noise ordinance. Board does not enforce the noise code; the Planning Board makes sure the venue complies with it. Chairperson Bentz does not feel it is a bad idea just not suited for the proposed area.

Member Teal referenced the topography. The Natural topography of the area surrounding the proposed site, creates a structure that transmits sound to the South, West and North.

Board members feel that noise and traffic are the major concerns.

Planning Board members are requiring a noise study.

No traffic study is being required.

Mark Wagner, ESQ. representing the Orsini’s, will consult with the Orsini’s about getting a noise study done.

Orsini public hearing will remain open for the county notice.

**Discusssion:**

Planning board would like Code Enforcer, Tracy Church, to look into a possible business on Weatherwax Road at a residential home.

Member Briggs asked if there was any progress on the Comprehensive Plan. Supervisor Russell informed the Planning board the Town Board will be contacting Nicole at LaBerge to start moving forward.

7:42 PM – A motion to adjourn the meeting was made by Member Valente and seconded by Member Burzesi with a vote of (7) yays, (0) nays and (0) abstentions.

Respectfully submitted by:

Stephanie Volkmann

Planning and Zoning Clerk