**TOWN OF POESTENKILL**

38 Davis Drive / P.O. Box 210

Poestenkill, NY 12150

**PLANNING BOARD**

Planning Board

July 5, 2023 @ 7:00 PM

Poestenkill Town Hall

**(DRAFT)**

**Attendees: Non-voting:**

Tom Russell, Chairperson Lawrence Howard, ESQ.

Don Heckelman Stephanie Volkmann, Clerk

Steve Valente

Harvey Teal **Absentee:**

Vicki Spring, Alternate Laura Burzesi

Jeff Briggs Bill Daniel

**7:03 PM - Pledge of Allegiance**

**Minutes;**

Meeting Minutes from June 6, 2023 were reviewed. Motion to accept the minutes was made by Member Valente and seconded by Member Briggs and approved with a vote of (6) yays, (0) nays and (0) abstentions.

**Public Hearing:**

**Kevin W. Kronau Sr.:**

Mr. Kronau submitted a Special Use Permit for a Mining renewal for (5) Five years dated February 15, 2023 to February 16, 2028 on Deer Creek Mine located on White Church Road (NYS Route 351) this runs concurrent with his DEC permit.

There were a few abutting residents that had some concerns

* Is the tree boundary going to remain the same? Mr. Kronau stated that the permit does allow some of the trees to be removed.
* Will the yards be going to be level as product is removed? Mr. Kronau will always keep a berm there.
* A resident spoke that he was not for or against the renewal. He is having water issues around his home.
* How much more is the mine going to expand

Mr. Kronau would like to put something in where the mine is located after it is finished such as residential homes.

Swalls or berms will be put in after the mine is finished to keep the water from flowing into Deer Creek.

Mr. Kronau is sensitive to the residents of Deer Creek and said it always has had a high-water table level. Gravity water feed drains were put in.

Chairperson Russell asked that there be open communication between the residents and Mr. Kronau.

Planning Board suggests the residents with water concerns contact DEC. DEC is more qualified to answer their questions.

7:48 PM Public Hearing was closed. Motion to close the public hearing was made by Member Teal and seconded by Member Briggs with a vote of (6) yays, (0) nays, (0) abstentions.

A motion was made by Chairperson Russell and seconded by Member Heckelman to approve that this will not result in an adverse Environmental Impact and that therefore a Negative Declaration should be issued with a vote of (6) yays, (0) nays and (0) abstentions.

A motion was made to approve the five year extension of the Special Use Permit until February 16, 2028 with conditions already in place was made by Member Briggs and seconded by Member Valente with a vote of (6) yays, (0) nays and (0) abstentions.

**Applicants:**

Leonard Johnson:

Leonard Johnson submitted a Minor Subdivision application to separate off 1.34 acres from his current residents at 18 Johnson Lane Averill Park to give to his daughter and son-in-law. There are no plans of building on it at this time.

Abutter Kevin Holohan was present and supports whatever they want to do with the property.

A lot line adjustment was done around 2020 to give the daughter an extra 15 feet to add to her property.

A motion was made for proposal of a 2 Lot Minor Subdivision by Member Teal seconded by Member Heckelman with a vote of (6) yays, (0) nays and (0) abstentions.

Public Hearing will be at the August 1, 2023 meeting at 7:00 PM at Poestenkill Town Hall.

**Kevin Holohan:**

Kevin Holohan submitted a Special Use Permit to have a dog training facility on his 28-acre residence located at 28 Johnson Lane, Averill Park in a separate building facility.

Mr. Holohan expressed several times this is NOT a kennel and there will be no overnight dogs. Dogs will be on leashes when outside the facility.

The building serves as technical training center for canine behavior work.

He has had provided the Town Planning Board with a lengthy letter explaining details about the building, his training, background, and all business documents. (This can be reviewed at the Poestenkill Town Hall)

He is not affiliated with any other dog training facility in the area. This is for his own for-profit private business.

He does not work with behavior cases after 8 pm. Those hours are 8-4 on weekdays. Behavior cases are 45 mins long.

He works with some clients between the hours of 6:00 pm – 7:00 pm or 7:00 pm – 8:00 pm on Mondays. Sessions are 1 hour long.

If he has group sessions, there is no more than 6 dogs. Sessions are 1-hour long.

Periodically he works with clients from 12:00 pm – 3:00 pm on Sundays in 1-hour blocks. This is rare.

Mr. Holohan does not train pet dogs for aggression.

About 60% of Mr. Holohan’s work is away from home training at public venues such as schools, malls, private residences, airports, and train stations.

He trains service dogs and therapy dogs. Service dogs are trained to respond to a medically diagnosed condition of a client. Service dogs must meet the ADA requirements and respond specifically to assist that person in managing their illness. This is highly technical skills set for dogs.

No parking issues, there is plenty of room. There is adequate space for emergency vehicles to get in and turn around.

Mr. Holohan gave Chairperson Russell a walk through prior to the meeting.

His neighbors, Edward McMahon and Leonard Johnson were in attendance and are in support of Mr. Holohan’ s proposal.

Chairperson Russell is going to reach out to Kevin Holohan to see what the outdoor lighting is and if he has a map to show where the road splits. The driveway is shared.

Public hearing on August 1, 2023 at 7:00 PM.

**Comprehensive Plan:**

Chairperson Russell had reached out to Nicole Allen with LaBerge for a proposal to work with the Planning Board on the Comprehensive Plan.

Tiffany has sent an email to Nicole also to see if she wants to send a proposal and present it to the Town Board at their meeting in July.

Lawrence will not be attending the August meeting. He is going to reach out to Andy Gilchrist, Poestenkill Town attorney, to see if he can sit in for Lawrence.

8:40 PM - Motion to adjourn meeting was made by Member Valente and seconded by Member Heckelman with a vote of (6) yays, (0) nays and (0) abstentions.

Respectfully submitted by:

Stephanie Volkmann

Planning and Zoning Clerk