**TOWN OF POESTENKILL**

38 Davis Drive / P.O. Box 210

Poestenkill, NY 12150

**PLANNING BOARD**

Planning Board

August 1, 2023 @ 7:00 PM

Poestenkill Town Hall

**(DRAFT)**

**Attendees: Non-voting:**

Tom Russell, Chairperson Andy Gilchrist, ESQ.

Don Heckelman Stephanie Volkmann, Clerk

Steve Valente Vicki Spring, Alternate

Harvey Teal

William Daniel **Absent:**

Jeff Briggs Lawrence Howard, ESQ.

Laura Burzesi

**7:01 PM - Pledge of Allegiance**

**Minutes:**

Meeting Minutes from July 5, 2023 were reviewed. Motion to accept the minutes was made by Member Valente and seconded by Member Briggs and approved with a vote of (5) yays, (0) nays and (2) abstentions (Member Burzesi and Member Daniel).

**Public Hearings:**

7:05 PM – A vote to open the public hearing for Leonard Johnson was made with a vote of (7) yays, (0) nays (0) abstentions

**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 currently.

Abutter Kevin Holohan was present and supports whatever they want

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

Public hearing was read by Clerk, Stephanie Volkmann and SEQRA was read by Chairperson Russell.

There was no public or board comments.

A motion was made by Member Teal and seconded by Member Valente to approve that this will not a result in an adverse Environmental Impact and therefore a Negative Declaration should be issued with a vote of (7) yays, (0) nays and (0) abstentions.

7:10 PM Public hearing was closed

A motion to approve a 2 lot Minor Subdivision was made by Member Daniel and seconded by Member Burzesi with a vote of (7) yays, (0) nays and (0) abstentions.

**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 a technical training center for canine behavior work.

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.

Outside lighting was a concern for the Board. Holohan has a light over the side door and a light over the overhead door. There will be no additional lighting and no signage.

7:18 PM A motion was made to open the public hearing by Member Briggs and seconded by Chairperson Russell with a vote of (7) yays, (0) nays and (0) abstentions.

Public hearing was read by Clerk, Stephanie Volkmann and SEQRA was read by Chairperson Russell.

There were no public comments.

A motion was made by Member Teal and seconded by Member Burzesi to approve that this will not a result in an adverse Environmental Impact and therefore a Negative Declaration should be issued with a vote of (7) yays, (0) nays and (0) abstentions.

7:23 PM Public hearing was closed

7:25 PM A motion to approve the Special Use Permit for a dog training facility with the following conditions was approved by Member Valente and seconded by Member Teal.

1. Maintaining the shared driveway at the width of (2) two cars.
2. Hours of operation 7 AM to 8 PM, 7 days a week.
3. No overnight boarding. Not approved for kennel use.
4. NOT a hobby kennel (150-4).
5. Maintain sufficient lighting during operating hours.

**Comprehensive plan:**

Tom has left several messages for Nicole at LaBerge and has not heard anything back.

**Other:**

Shuhart’s are waiting on their engineer to move forward.

Andy Gilchrist provided the Planning Board with a DRAFT for the local law on Density. This will be addressed at the Planning Boards September meeting for comments and suggestions from the Board.

7:43 PM Planning Board went into a private meeting to seek advice from counsel on a private matter.

7:54 PM Planning Board ended their private session.

7:58 PM Motion to adjourn the meeting was made by Member Valente and seconded by Member Daniel with a vote of (7) yays, (0) nays and (0) abstentions.

Respectfully submitted by:

Stephanie Volkmann

Planning and Zoning Board