

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Minutes of May 19, 2021

MEMBERS PRESENT:

Robert Dingman, Chairman  
David Gauci  
Karen LaRose  
Tim LaSarso  
Les Macura

MEMBERS ABSENT:

Randy Getty  
Todd Murphy– Alternate  
Randy Weaver

CODE ENFORCEMENT OFFICER

Todd Humiston

TOWN ATTORNEY

Jeff Meyer, ESQ.

The meeting was called to order by Chairman Dingman at 7:00 P.M.

Roll call of all Members and Officials.

Chairman Dingman entertained a Motion to Approve the Minutes of January 20, 2021.

**ON A MOTION BY MR. GAUCI**, seconded by Ms. LaRose, the minutes of the January 20, 2021 meeting were approved.

AYES: 5

NAYES: 0

ABSTAIN: 0

MOTION CARRIED

Chairman Dingman stated for the record he received a letter of resignation dated January 13, 2021 from Board Member Justin Fehl.

Chairman Dingman introduced and welcomed Les Macura to the Board. He will be replacing Mr. Fehl's seat on the Board.

1. **LISA CATALFAMO** owner of tax map # 137.-1-13 commonly known as 71 Geer Road, Town of Kingsbury, located in Zoning District, RA-1A/Residential-Agricultural District is seeking Site Plan approval for a proposed Seasonal Goat Yoga Classes at this location. Plans for proposal are available at Kingsbury Town Hall, 6 Michigan Street, Hudson Falls, New York during regular business hours.

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Chairman Dingman introduced Lisa Catalfamo to address the Board.

Ms. Catalfamo stated she is proposing Seasonal Goat Yoga Classes, on her 7+/- acre farm. The classes will be held in the backyard behind the house and barn. The goat yoga classes are normally about an hour long outdoors in the presence of goats. She will be partnering with local yoga instructors and will be offering three classes per week. She is seeking to have yoga classes from late May or early June through early fall. The goats are social and friendly and will mingle with the participants in a friendly way. Parking will be on the front of the property. Ms. Catalfamo stated there will a bathroom and hand washing/sanitizing stations available.

Chairman Dingman opened the Public Hearing.

Ally Weaver had concerns with the goats moving around the property and the attendees being hurt by one.

Ms. Catalfamo stated goats are very friendly.

Chairman Dingman closed the Public Hearing.

Discussion ensued among the Board with questions addressed by the Applicant.

**ON A MOTION BY MS. LAROSE** and seconded by Mr. Gauci the Kingsbury Planning Board declares lead agency status and having reviewed the short form SEQRA submission and having taken a hard look at the potential environmental impacts finds that there are no potential negative environmental impacts anticipated from this project and the Board issued a negative declaration on the project.

The Board then reviewed the proposed Resolution.

**Resolution No. 1 of May 19, 2021**

**SITE PLAN REVIEW** – Lisa Catalfamo, as owner of Tax Map #: 137.-1-13 commonly known as 71 Geer Road, Town of Kingsbury, located in the RA-1A / Residential Agricultural Zoning District, is seeking Site Plan approval for seasonal goat yoga classes at this location. This action is pursuant to Section 280-21 of the Code of the Town of Kingsbury.

**ON A MOTION BY TIMOTHY LASARSO**, seconded by DAVID GAUCI, based on all of the evidence and materials submitted by the Applicant and the representations made at the meeting, the Application is hereby approved subject to the following conditions:

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(1) All information and representations contained in the materials submitted by the applicant and discussed at the meeting are incorporated herein as conditions.

2. **CYNTHIA CORLEW** owner of tax map # 137.-1-24.1 AND **Kortni Tougas**, owner of Tax Map # 137.-1-24.16 commonly known as Wait Road located in Zoning District, RA-1A/Residential-Agricultural District is seeking Site Plan approval for a two (2) lot subdivision at this location. Plans for proposal are available at Kingsbury Town Hall, 6 Michigan Street, Hudson Falls, New York during regular business hours.

Chairman Dingman introduced Attorney Suzanne Spector-Tougas, who will be representing Kortni Tougas and Cynthia Corlew to address the Board.

Attorney Spector-Tougas stated Kortni Tougas entered into a contract to purchase a 1.74 acre parcel on Wait Road from Cynthia Corlew.

Ms. Corlew and her attorney were under the impression she was doing a simple subdivision. They had the closing and Washington County has assigned it a tax map number. When Ms. Tougas applied for a building permit she was denied because Ms. Corlew had already done a subdivision in the last five years.

Attorney Spector-Tougas stated she is here tonight asking for subdivision approval after the fact.

Chairman Dingman asked Attorney Meyer to guide the Board through this request as this is not a usual subdivision request.

Discussion ensued among the Board with questions addressed by the Applicant.

Chairman Dingman opened the Public Hearing.

There being no comments from the public, Chairman Dingman closed the public hearing.

**ON A MOTION BY TIMOTHY LASARSO**, seconded by DAVID GAUCI, based on all of the evidence and materials submitted by the Applicant and the representations made at the meeting, the Application is hereby approved.

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3. **NOLAN PROPANE** contract vendee of Tax Map # 137.-2-1.4 commonly known as County Line Road, Lot #3 in the Warren/Washington County Industrial Park, is seeking Site Plan approval for propane storage and loading at this location. Two (2) 30,000 gallon tanks are proposed, crushed gravel driveway, storage sheds and chain link fencing for security. Plans for proposal are available at Kingsbury Town Hall, 6 Michigan Street, Hudson Falls, New York during regular business hours.

Chairman Dingman introduced Robert Nolan, Nolan Propane, Michael Biscone, Biscone Law Firm, John Hart, Duck Harbor Energy, LLC and Frank Palumblo, C.T, Male Associates to address the Board.

Attorney Biscone stated they are proposing a two tank propane farm on County Line Road in the Warren Washington County IDA lot #3. Mr. Nolan's family has been in the propane business for more than a half century. This is his third tank farm and the smallest of three.

Frank Palumblo, C.T. Male is here tonight with a site plan showing the safety features of a normal typical tank farm. There will not be any office or people that will be at this site. They will have responders if needed and will be hiring people from Washington and Warren Counties for purposes of delivery and they are in the service business as well.

Chairman Dingman stated his understating was Mr. Biscone or representatives have met with the members of the Kingsbury Town Board.

John Hart, Duck Harbor Energy, LLC stated he was at the meeting as well as representatives from Nolan Propane, Kingsbury Supervisor Dana Hogan, Planning and Zoning Administrator Todd Humiston, Kingsbury Fire Department and Washington County Hazmat.

Chairman Dingman stated for the record could you state what was said and what the reaction was from those in attendance.

Mr. Hart stated they explained how the process works, talked about some of the safety equipment, the layout of the plan, semantics of the plans putting this project together. There is a document called the Fire Safety Analysis. It is a living breathing they create between the propane provider and the emergency responders.

Basically, what they wanted to know was the hours of operation, how many people, the valving and mechanical operation, as well as how may deliveries.

Mr. Hart stated he believed it was Mr. Humiston who suggested they write a letter of the overview of this project prior to the meeting.

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Mr. Boscone stated the letter is in the file dated March 31, 2021 and that Mr. Hart is an expert throughout the State of New York on this type of project.

Chairman Dingman stated he does recognize Mr. Hart's name.

Mr. Hart stated he will be on the site for the full process if and when this is approved.

Chairman Dingman stated the reason he asked the question and has no objections to the meeting and was probably a good thing, his concerns are he wants to make sure he addresses and cover all the bases. In the past there was another propane company that came before the Board in the Industrial Park. There were major concerns with where it was going to be located.

Mr. Hart stated they discussed the issues concerning the other propane company and the difference between the two lots.

Mr. LaSarso questioned the two 30,000 gallon tank's location and smaller tanks on the ground.

Mr. Palumblo explained where and how the project will look when it is completed with screening. There will be approximately 20 empty tanks of different sizes stored on site.

Chairman Dingman questioned if Nolan Propane has any connection with Homeland Security.

Mr. Hart stated that is a very good question and very important. Homeland Security has to do with the lighting and the orientation of the tanks and the lighting of the tanks. Mr. Hart stated he works with both the Homeland Security and New York State Homeland Security. The main thing is they want to be discreet, but they want to be seen. They want to have to the visibility. When the tanks are screen in, they also want the responder to know they are there, know how to get to them and see them. Everything in that plant is secured remotely, thermally, and manually, whenever it is unmanned. DOT and OSHA require an emergency action plan.

According to DOT until there is product in the tanks, they are just steel. There is no hazmat in in the tank.

Mr. Palumblo stated one of the things they did show on the plans is a truck route. There is one entrance in and one entrance out for the trucks. Potentially they will not have two trucks at the same place at the same time. This will hopefully prevent traffic congestion on County Line Road. They will set the fence back far enough from the road so that their will not be a truck sitting in the road waiting. These are daily safety factors.

Mr. Hart stated normally the gas plants have gates that fold and lock with a combination lock.

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The gates here will be electric, swipe and push button. The responders will have an lock box. This was all discussed at the prior meeting we had. Also, after this is done Mr. Hart meets with responders either with their safety committee or the officers or the whole team on a drill night and they walk through the facility. Mr. Hart shows the responders the safety stuff, the lock box, they talk about the prevailing wind. They like to put the American flag for wind direction as well. They will also have security cameras at this location.

Chairman Dingman opened the public hearing.

Dennis Kelly, 672 County Line Road, stated Mr. Nolan met with Mr. Kelly and some of the neighbors to discuss issues and questions they had. Without Mr. Nolan knowing Mr. Kelly went to the Ravena site and was very impressed by what he saw. Mr. Kelly stated he did have one concern with the old tanks that were on the property.

Mr. Kelly had concerns with wetlands near this property.

Ally Weaver, Administrator of the IDA text Mr. O'Brien, Chair of the IDA. Mr. O'Brien responded neither the old map done in 1996 or the new map done this past spring does not show any wetlands at this location.

Chairman Dingman thanked Ms. Weaver for that information and asked if she could get it in writing for Nolan Propane protection as well as the Planning Board protection.

Robert Bombard, Kingsbury Printing, 632 County Line Road, stated he had concerns with the size of trucks and the dust they would be leaving on his building.

Chairman Dingman stated the public hearing will remain opened.

Discussion ensued among the Board with questions addressed by the Applicant.

**ON A MOTION BY MR. LASARSO**, seconded by Mr. Gauci all in favor, the meeting was adjourned at 8:30 P.M.

Michelle Radliff  
Secretary