

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Minutes of July 15, 2020

MEMBERS PRESENT:

Robert Dingman, Chairman  
Justin Fehl  
Randy Weaver

MEMBERS ABSENT:

David Gauci  
Randy Getty  
Karen LaRose  
Tim LaSarso  
Todd Murphy – Alternate (Excused)

Enforcement Officer  
Todd Humiston

TOWN ATTORNEY  
Jeff Meyer, ESQ.

The meeting was called to order by Chairman Dingman at 7:15 P.M.

Roll call of all Members and Officials.

Chairman Dingman stated we do not have a quorum for the meeting tonight and will not be able to make any decisions. The minutes of April 15, 2020 will be discussed at the next Planning Board meeting.

Chairman Dingman asked to have the minutes of the April 15, 2020 to include " Due to public health and safety concerns related to COVID-19, the Planning Board will not be meeting in-person. In accordance with the Governor's Executive Order 202.1, the April 15, 2020 Planning Board meeting will be held via teleconferencing, and a transcript will be provided at a later date. The public will have an opportunity to hear the meeting live and provide comments."

**1. Jerry Bombard**, owner of vacant land, Tax Map # 129.-2-10 commonly known as 4052 State Route 4, Town of Kingsbury, located in Zoning District, Com-1A/Commercial District is seeking Site Plan approval for a proposed Brush Clearing of 165' x 260' for construction of stone pad for a yard waste and mortality solid waste management facility 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 Joe Bombard who will be representing Jerry Bombard to address the Board.

Mr. Joe Bombard stated they are here tonight asking for an approval for compost facility for animal mortality, for DEC Registration. They would be using under an acre of the 36 +/- acres.

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Mr. Bombard stated Cornell Waste Management Institute accepts this and Department of Environmental Conservation (DEC) approves this.

Chairman Dingman questioned Mr. Bombard if he has DEC permit.

Mr. Bombard stated DEC is waiting for an approval from the Town Planning Board before they will issue a permit.

Chairman Dingman asked Mr. Bombard to explain the need for this type project.

Mr. Bombard stated not everyone has the means to bury the deceased animals on their property. Cornell devised a method to compost the animals for disposal of them. DEC regulates this process. Mr. Bombard stated they can take care of roadkill as well but, the Townships are exempt from this process. They will be taking animals from farmers, horse owners, butchers as well as hunters. DEC permit covers any animal mortality.

Chairman Dingman question Todd Humiston, Enforcement Officer about the mulching project that is already there.

Mr. Humiston stated they are here tonight to get approval for the mulching business and the animal mortality compost.

Mr. Weaver questioned Mr. Bombard on how the business will operate.

Mr. Bombard stated the City of Glens Falls and local residents bring in yard waste. You need carbon to break the animals down and this comes from brush, leaves and wood chips. It is also called "green brown black".

Mr. Fehl questioned the limit of carcasses they can have at one time.

Mr. Bombard stated according to DEC they can bring in 240 to 400 carcasses per acre. They also have to be 200 feet away from any neighboring houses.

Attorney Meyer and Chairman Dingman stated they like the way this project is written.

Chairman Dingman opened the Public Hearing and will remain opened for future meetings.

Paul Bromley, 270 Kingsbury Road, stated he is neighbors with the Bombard's and feels they are hard workers. His issue is that this has been going on for a long time. He feels cows should be taken care of at the dairy farms and not transported to this site. Mr. Bromley questioned Mr. Bombard how it works with a deceased horse in regard to what the veterinary uses to euthanize the animals.

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Ken Spaulding, 42 Kingsbury Road, stated he hopes the Town has control with enforcement and monitoring if this project has an approval. He has seen trucks going to the property with animals in them. The Town does not have any guidelines as to how this operation should run.

Chairman Dingman stated part of the stipulation would be a they will have to keep a log.

Mr. Bombard stated he provided a sample log in the packet for the board members and is part of DEC's permit. It is an operational manual.

Dan Colomb, 726 County Line Road, questioned what happens to the bones.

Mr. Bombard stated the bones will disintegrate.

Mr. Fehl stated this proposal is written very good but, we have to make sure you are going to do what you stated in the proposal.

Dennis Kelly, 672 County Line Road, had questions on the hauling of the dead animals. Is there a plan so that the neighbors are not subject to seeing this.

Mr. Bombard stated he will be doing all of the hauling of the animals.

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

**2. Dennis Vадnais II**, owner of vacant land, Tax Map # 155.-1-11 commonly known as 1052 Towpath Road, Town of Kingsbury, located in Zoning District, IND-75 Industrial District is seeking Site Plan approval for a proposed Pole Barn on the site of existing propane storage and distribution facility 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 Dennis Vадnais to address the Board.

Mr. Vадnais stated he is proposing to build a 25' by 90' pole barn at this site. The pole barn will be used to cover the existing propane storage and distribution facility. This will have a dirt floor. He will have to go in front of the Zoning Board of Appeals for a variance. The variance he is requesting is 28 feet. The minimum set back in this district is 50 feet.

Mr. Vадnais stated he believes rather than adjusting the size of the building and being the location of where it is, he thought it would be better to do it this way.

Chairman Dingman opened the Public Hearing and will remain opened for future meetings.

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Bryan King, Jr., Fire Chief of Kingsbury Vol. Hose Co. #1, had concerns with the bike trail going through this area and the fire trucks being able to get to his property if need be. He stated the Canal Corp blueprints show a guard rail going in as well.

Mr. Vadnais stated the pole barn will have a dirt floor and no electricity. They have vehicles parked there that will be moved into the pole barn. As far as the guard rails he is hoping to be able to work this out with the Canal Corp. He has to be able to have deliveries.

Mr. King questioned if there will be a contact number to get into the property.

Mr. Vadnais state the property will be gated and there will be a contact number available to the fire company.

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

The Board recommended Mr. Vadnais to go to the Zoning Board of Appeals meeting on July 30, 2020.

**3. Kingsbury Solar LLC**, contract vendee Tax Map # 127.-1-33.3, commonly known as 684 County Line Road, Kingsbury, NY located in Zoning District, Residential Agricultural RA-1A for Site Plan Review for a proposal to operate a Solar Energy Facility 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 Andy Thomas, Bullrock Solar, LLC. Mr. Thomas stated he is a Solar Project Developer and a Solar Project Contractor.

He is here tonight representing Kingsbury Solar LLC, which is a private company that he put together and to propose this project. The project is located at 684 County Line Road, Kingsbury. He was at the January 15, 2020 meeting to introduce this project.

Mr. Thomas stated from the information that he received at the January 15, 2020 meeting he has taken photos viewpoints looking on the road, changes to the landscaping and details pertaining to the wetlands.

He is here tonight to get comments and feed back from the Board and neighbors.

Chairman Dingman asked if Mr. Thomas has talked to the neighbors since the last meeting.

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Mr. Thomas responded Kevin Daley, High Peeks Solar who was with him at the January 15, 2020 meeting, is an agent who is partnering with him on this project. Mr. Thomas does not know what the status of Mr. Daley finding are.

Chairman Dingman stated because the Board received the updated drawing this evening, the Board has not had a chance to review the plans.

Chairman Dingman opened the Public Hearing and will remain opened for future meetings.

Dan Colomb, 726 County Line Road, questioned the planting of the trees near his house. He does not feel the plantings will be sufficient enough.

Mr. Thomas stated he would meet with Mr. Colomb to discuss this.

Paul Bromley, 270 Kingsbury Road, had concerns with the Pilot Program with the IDA for solar projects.

Attorney Meyer explained he is working with the IDA and the Town. There may be changes to the procedures.

Dennis Kelly, 672 County Line Road, spoke against this project.

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

**ON A MOTION BY MR. FEHL**, seconded by Mr. Weaver, all in favor, the meeting was adjourned at 9:30 P.M.

Michelle Radliff  
Secretary

"Chairman Dingman questioned Todd Humiston, Enforcement Officer... You offered a brief narrative... They had been operating a mulching project for years and the business was flagged by DEC for disposing of animals without a permit. DEC found no issue with the method of disposal, but they were told to cease until they were granted a permit. DEC told them that they had to get approval from the Town prior to the issuing of a DEC permit. At this point, they are looking for approval for the two businesses... mulching/compost and animal mortality.

Paul Bromley spoke to the Board of his concerns about odor.