

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Minutes of November 20, 2019

MEMBERS PRESENT:

Robert Dingman, Chairman  
Justin Fehl  
Randy Getty  
Karen LaRose  
Tim LaSarso

MEMBERS ABSENT:

David Gauci  
Randy Weaver  
Todd Murphy – Alternate (Excused)

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 October 16, 2019.

**ON A MOTION BY MR. LASARSO**, seconded by Ms. LaRose, the minutes of the October 16, 2019 meeting were approved.

AYES: 5

NAYES: 0

ABSTAIN: 0

MOTION CARRIED

**1. Robin Mattes**, owner of Tax Map # 154.11- 7-7 commonly known as The Rock Sports Bar, 1066 State Route 196, Town of Kingsbury, located in Zoning District, Com-1A/Commercial District is seeking Site Plan approval for a proposed Bottle Return Business at this location. This action is pursuant to Chapter 280, Article VI Section 280-23 (G) District Regulations of the Town of Kingsbury Code, New York.

**Applicant did not appear before the board.**

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Planning Board Meeting  
November 20, 2019  
Page 2 of 5

**2. Andrew Callahan**, Callahan Discount Warehouse, contract vendee of Tax Map # 146.17-4-2, commonly known as 1128 Dix Avenue, Town of Kingsbury, located in Zoning District, Com-1A/Commercial District is seeking Site Plan approval to operate a Discount Warehouse Business at this location. This action is pursuant to Chapter 280, Article VI Section 280-23 (G) District Regulations of the Town of Kingsbury Code, New York.

Chairman Dingman introduced Andrew Callahan, Callahan Discount Warehouse to address the Board.

Mr. Callahan stated he is seeking approval to move his business from 102 North Street, Kingsbury to 1128 Dix Avenue, Kingsbury. His lease will be up December 2019 at the 102 North Street location. He has been at his present address for approximately four (4) years. The business itself has been in business for approximately six (6) years.

His business is a Liquidation Retail. He buys truckloads of merchandise from store close outs, and customer returns. He inspects all merchandise and resells it to the public.

Mr. Getty questioned what would happen to the North Street location.

Mr. Callahan stated he is a tenant at this building.

Chairman Dingman questioned what the previous use of the building at 1128 Dix Avenue was.

Mr. Callahan stated it was a used car sales lot. He has been working to get the 1128 Dix Avenue building retail ready.

Ms. LaRose stated she felt it will be a better location for Mr. Callahan.

Mr. Getty questioned parking.

Mr. Callahan stated he is in conversations with Shawn Camara, who owns the vacant property next to 1128 Dix Avenue to lease for parking. Without Mr. Camara's lot they are 15 +/- parking spots. They have four (4) employees that will be parking in the back of the building. If he can lease Mr. Camara's property this will give him 20 +/- extra parking spaces.

Mr. Callahan stated he has done upgrades in the back of the building for the tractor trailers. They will be able to pull in, back up to the building, unload the merchandise and then pull out on to Dix Avenue. He has already had a tractor trailer there to make sure it would work. Currently the store hours are from 9:00 am to 5:00 pm seven days a week.

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Planning Board Meeting  
November 20, 2019  
Page 3 of 5

Mr. Fehl stated he noticed at the North Street site during the summer there was merchandise outside under cover. Mr. Callahan will not be able to store the merchandise outside at the Dix Avenue location.

Mr. Callahan questioned if they are able to lease Mr. Camara's property would that make a difference.

Chairman Dingman stated no outside storage allowed. You can display it outside during the day and then bring it back inside for the night. He has a 20' x 30' carport that he uses for storage at this time. It does have a roof but no sides. He would use it during the summer. The merchandise being outside will depend on if he will be able to lease the vacant property next door.

Chairman Dingman stated they don't want any outside storage causing it to look like an eyesore.

Mr. Callahan stated the North Street site is all fenced in, whereas the Dix Avenue site has no fencing. He understands this would make a difference should he decide to have merchandise outside.

Mr. Getty stated if the merchandise is not closed in it will be very tempting for people to wander on the property.

Mr. Callahan stated he will cross that bridge at a later time.

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

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

**ON A MOTION BY MR. LASARSO**, and seconded by Mr. Fehl, designating the Town of Kingsbury Planning Board as the Lead Agency under SEQRA to perform coordinated review of the potential environmental impacts.

The Board then reviewed the proposed Resolution.

**Resolution No. 1 of November 20, 2019**

**Andrew Callahan**, Callahan Discount Warehouse, contract vendee of Tax Map # 146.17-4-2, commonly known as 1128 Dix Avenue, Town of Kingsbury, located in Zoning District, Com-1A/Commercial District is seeking Site Plan approval to operate a Discount Warehouse Business at this location. This action is pursuant to Chapter 280, Article VI Section 280-23 (G) District Regulations of the Town of Kingsbury Code, New York.

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Planning Board Meeting  
November 20, 2019  
Page 4 of 5

**ON A MOTION BY MR. GETTY**, seconded by Mr. Fehl 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:

- (1) No outside storage shall be permitted.
- (2) Any exterior modification to the site will require site plan approval.

**3. Dan Brummer**, Brummers Unlimited Sales & Service, owner of Tax Map # 121.-1-17.6, commonly known as 4234 State Route 4 Town of Kingsbury, located in Zoning District, Com-1A/Commercial District is seeking Site Plan approval for a for a proposed Trailer Sales & Service Business at this location. This action is pursuant to the provisions to Chapter 280, Article VI, Section 280-23 (G) District Regulations of the Town of Kingsbury Code, New York.

Chairman Dingman introduced Dan Brummer, Brummers Unlimited Sales and Service to address the Board.

Mr. Brummer stated they are a local Trailer Dealer located on Nolan Road and Route 9 in South Glens Falls, NY and have outgrown this location.

Mr. Brummer stated since the last meeting he now owns the property 4234 State Route 4 in Kingsbury. There are three parcels located at this address. He would like to have a display lot on the center property, with a service shop, office and bathroom. Overall, the building would be 80' x 80' +/- . The service shop will be approximately 40' x 60'in size and the main off approximately 20' x 40'.

Chairman Dingman questioned if Mr. Brummer had a Stormwater Retention Plan in place.

Mr. Brummer stated he will not be disturbing enough land to require a Stormwater Retention Plan.

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

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

**ON A MOTION BY MR. GETTY**, and seconded by Ms. LaRose, designating the Town of Kingsbury Planning Board as the Lead Agency under SEQRA to perform coordinated review of the potential environmental impacts.

MINUTES OF THE PLANNING BOARD OF THE TOWN OF KINGSBURY

Planning Board Meeting  
November 20, 2019  
Page 5 of 5

The Board then reviewed the proposed Resolution.

**Resolution No. 2 of November 20, 2019**

**ON A MOTION BY MR. FEHL**, seconded by Mr. LaSarso based on all of the evidence and materials submitted by the Applicant and the representations made at the meeting; the Application is hereby approved without condition.

**4. GEER ROAD SOLAR**, owner of Tax Map # 128.-1-26 commonly known as 221 Geer Road, Hudson Falls, NY, located in Zoning District, RA-1A Residential Agriculture District is seeking Site Plan approval to develop Subdivision approval of one lot into four lots at this location and 5 W AC photovoltaic array system on each lot for a total of 20MW. Plans for proposal are available at Kingsbury Town Hall, 6 Michigan Street, Hudson Falls, New York during regular business hours.

Chairman Dingman introduced Michael Doud, Matrix Solar Development, LLC to address the Board.

Mr. Doud stated there are not any major changes to this project. After 6 months of working with National Grid they are both on the same page with the inter-connections. There will be six (6) electrical studies.

Mr. Doud gave the Board an update on the Subdivision Plan and the Landscaping Plan.

At the previous meeting Mr. Doud stated the parcels must be touching. Since then they have found that is not the case.

Chairman Dingman opened the Public Hearing.

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

**ON A MOTION BY MR. LASARSO**, seconded by Mr. Getty all in favor, the meeting was adjourned at 8:15 P.M.

Michelle Radliff  
Secretary