

Town of New Baltimore Planning Board

Monthly Meeting Minutes

3809 County Route 51 Hannacroix, NY 12087

May 8, 2025

7:00 PM

Present: Josh Boehlke, Ann Marie Vadney, Rob VanEtten, Robert Court, Charles Irving, Bill MacDonald

Absent: Frank Orlando

Pledge of Allegiance

Tortoise Ventures, LLC Minor Subdivision Shawn Thorpe was present on behalf of her clients Tortoise Ventures. The Board reviewed the maps that were presented. Board member Court asked if there were any houses located on the lot to which the response was no it is all vacant wooded land. The board discussed the location of the lot and what surrounded the area. Chairman VanEtten asked where the property owners were located. Thorpe replied, Florida and Tortoise Ventures is located in Indiana. Chairman VanEtten asked if they had bought the land just to subdivide it. The response was yes their plan is to subdivide it and sell them as individual lots. Board member Vadney stated that they have subdivided into all equal lots and they have already done the soil testing and also read from the documents provided that the septic system would possibly be more expensive due to the shale on the land. The board then reviewed part 1 of the EAF. Chairman VanEtten asked if there were wetlands on the property. Shawn Thorpe replied there is a stream in the very back of the property. Board member Irving questioned the map and there being an unknown owner on one of the adjoining properties. Since a minor subdivision requires certified notification to all adjoining landowners it is imperative that all the information be provided on the maps and the application. The board then reviewed and filled out part 2 of the EAF.

Motion to accept the Tortoise Ventures LLC application for a minor subdivision on Old Kings Road in Hannacroix

Motioned by Ann Marie Vadney, Seconded by Josh Boehlke

Aye: 6

Nay:

Abstain:

Absent: 1

Motion Carried

**Motion to accept the negative declaration for SEQR on the Tortoise Ventures, LLC
Minor Subdivision**

Motioned by Ann Marie Vadney, Seconded by Josh Boehlke

Aye: 6 Nay: Abstain: Absent: 1

Motion Carried

Chairman VanEtten stated the board has accepted the application for the Minor Subdivision and had given a negative declaration for the purposes of SEQR and agreed to schedule a Public Hearing. The board suggested they may want to put a restriction on the deeds to restrict any further subdivision of the properties, as in some cases it carries a lot of weight. A deed restriction of no further subdivisions is appealing to not only the town but also to adjoining neighbors and some buyers who are looking to move here for the country not to live right next to each other. Board member Court then stated that the map needed to be amended, and the application needed to be amended as well and the name of the unknown owner should be stated on both documents. The board had an open discussion on the yield of wells in the area. The board suggested that the representative from Santo and Associates reach out to the clerk withing the next week to schedule a Public Hearing pending the corrections that had to be made on the maps and application.

Kiselev/Boehm Minor Subdivision Slavik Kiselev was present representing the Boehm/Kiselev subdivision of the existing driveway. Mr. Kiselev presented the board with new maps. The board discussed the maps. The new maps presented do not include the currently land locked back lot. Mr. Kiselev intends to purchase this lot in the Town of Coxsackie and connect to his subdivided driveway in the Town of New Baltimore. Board member Court stated that since the lots he is wanting to subdivide will be non-conforming he will need a variance granted from the Zoning Board of Appeals in order to do so. Chairman VanEtten and the board agreed that on the final map they would like to see the subdivided driveway adjoining to the lot in the back. Mr. Kiselev questioned, since this map is solely for the subdivision why would the back lot in the Town of Coxsackie need to be on the map. He believes that there will be two separate maps, one for the subdivision in New Baltimore and one for the lot line adjustment in the Town of Coxsackie. Board member Court stated since it will all be on one deed and adjoined to the rest of the property the board would like to see that reflected on the final map. Discussion was had concerning the road frontage of the subdivided driveway lot, as it does not meet the requirements for a flag lot it would also require a variance. The Zoning Board has previously discussed this with Mr. Kiselev and agreed they would rather Mr. Boehm retain as much of his property as possible,

so a variance for the driveway lot frontage would be necessary. The board had an open discussion about the location of utilities. The Planning Board then referred Mr. Kiselev to the ZBA, and discussed the process he will have to go through with the Zoning board before he was seen again in front of the Planning Board.

Mr. Buchholz was in attendance concerning the Cheema Gas Station Project. The Board informed Mr. Buchholz that project was not on the agenda for the meeting. He expressed his concerns again with the safety of traffic on 9W pending this new gas station's approval. Chairman VanEtten replied that it is nothing the board has control over. Mr. Buchholz feels that a third lane for turning is necessary at this location for safety reasons, his concern is with tractor trailers turning in and out of the parking lot crossing the lane and stopping traffic and possibly causing accidents. The clerk told Mr. Buchholz that the Planning Board are not the ones who determine if a third lane is required. That comes from the NYS Department of Transportation. Chairman VanEtten added that the DOT has been notified of this project, and the board has no control over what the DOT plans to do. Board member Vadney suggested he could try to contact the DOT and ask if they have any future plans of adding a third lane in that location, and he can let them know of his concerns. Mr. Buchholz expressed that he feels he should have been notified sooner than the Public Hearing notice so he could have expressed his concerns earlier in the process. He stated he doesn't care what they do, he just wants to ensure safety. Board member Irving shared that another project on 9W had concerns about traffic being too heavy there and it was found by the traffic study that the traffic was minimal in comparison to traffic on other state highways. Chairman VanEtten questioned the concerns brought up at the Public Hearing regarding Mr. Buchholz mailbox and possible relocation. Chairman VanEtten suggested that we get responses for Mr. Buchholz in writing from Nolan engineering. Board member Court also brought up that Mr. Buchholz should also be concerned with the headlights of the tractor trailers shining into his house at night. He replied he sits up pretty high and does not think that will be much of an issue. Chairman VanEtten suggested he watch for the agenda to see when the Cheema project will be before the board next and he can attend that meeting.

Ken Rebusmen Lot Line Adjustment Chairman VanEtten stamped and signed the maps for the Ken Rebusmen Lot Line Adjustment. Board member Vadney stated she would recommend amending the resolution to reflect the total acreage created for both parcels. The clerk took down both parcel total acreages and amended the resolution.

Board Member Vadney brought up a couple concerns about solar. Knowing that the decommissioning plan for New Baltimore Solar is before the Town Board at this time she suggested that the Planning Board may want to recommend to the Town Board what may

be appropriate. Her concern is that it is not enough money to actually follow through with the decommissioning plan. Board member Court responded that if the decommissioning plan has to be enacted and the bond does not cover the costs the Town could put a lien on the property. The other concern she had was the results of the soil reports. Chairman VanEtten and the clerk stated they had they soil report results. The clerk agreed that she will locate the results and provide them to board member Vadney.

Chairman VanEtten then read the revised Lot Line Adjustment resolution:

Ken Rebusmen Lot Line Adjustment Resolution

WHEREAS, Ken Rebusmen wishing to move approximately 0.64 acres from parcel 28.00-3-28 resulting in Tax Map #28.00-3-28 (Total acreage 9.28 acres) to Parcel #28.00-3-2 (Total acreage 29.62 acres) located on High Rock Road in the Town of New Baltimore submitted an Altered Lot Line Application at the February 13, 2025, Planning Board Meeting; and

WHEREAS, draft deeds were submitted and approved by the Towns Attorney; and

WHEREAS, required maps and deed descriptions reflecting the acreage change were submitted at the May 8, 2025, Planning Board Meeting; therefore be it

RESOLVED, the Planning Board does hereby approve the maps and deeds for filing in the Greene County Clerk's Office. Parties are required to execute the boundary line agreement and deeds and record the deeds and maps with the Greene County Clerk within 60 days of approval at no expense to the Town.

Motion to approve the Ken Rebusmen Lot Line Adjustment Resolution

Moved by Ann Marie Vadney, Seconded by Bill MacDonald

Aye: 6 Nay: Abstain: Absent: 1

Motion Carried

Motion to approve the Cheema Gas Station/Convenient Store Public Hearing minutes from April 10, 2025

Motion made by Ann Marie Vadney, Seconded by Charles Irving

Aye: 6 Nay: Abstain: Absent: 1

Motion Carried

Motion to approve the April 10, 2025, regular Planning Board monthly meeting minutes

Motioned by Ann Marie Vadney, Seconded by Josh Boehlke

Aye: 6 Nay: Abstain: Absent: 1

Motion Carried

Board member Bill MacDonald questioned if the Town Board may have jurisdiction to require new gas stations in our area to require back up generators. They may want a backup generator to save any cold food products and possibly allow the gas pumps to still be operational even if there is a power outage. Chairman VanEtten replied it is their call if they want to spend the money to do that. The Town Board would have to adopt a new law to enforce that. Chairman VanEtten said the Planning Board could ask when new projects come up if that is something they will utilize in their plan. Board member MacDonald expressed how he has seen a positive impact in other municipalities with gas stations.

Open discussion was had concerning the Long Island Teen Challenge building that is up for sale. There was some confusion about what the building could be used for in the commercial district. There was a question about whether it could be utilized as a single-family home. The resolution to this was that the zoning table says that it is permitted. The other question that arose was whether the building could be used for a multi-family residence. The zoning table states that it could be permitted through a special use permit from the Planning Board. Board member Vadney questioned whether a multi-family residence would be considered a business. The board had an open discussion. Chairman VanEtten stated that if there are anymore calls the Planning Board would be willing to field any questions.

Motion to Adjourn the May 8, 2025 Planning Board meeting

Made by Ann Marie Vadney, Seconded by Bill MacDonald

Motion Carried

Meeting Adjourned 8:10pm

DRAFT