

Town of New Baltimore Planning Board

Monthly Meeting Minutes

3809 County Route 51 Hannacroix, NY 12087

June 12, 2025

7:16 PM

Present: Ann Marie Vadney, Rob VanEtten, Robert Court, Frank Orlando, Charles Irving, William MacDonald

Absent: Josh Boehlke

Pledge of Allegiance

Cheema Gas Station/Convenience Store Kamil Baraniewicz was present representing Creighton Manning the towns designated engineer on this project. Also present were Kevin Pultorakk and Collin Parsons from Nolan engineering representing Mr. Cheema. Chairman VanEtten suggested they start by reviewing the conditions on the resolution for this project line by line to see where everything stands and have a discussion. Chairman VanEtten read the first condition of the resolution concerning the Lot Consolidation between the two lots this project spans. Kamil Baraniewicz stated that they have received the preliminary map for the Lot Consolidation. They still need to see it on an official stamped and signed survey map from a licensed surveyor. The surveyor needs to record said maps with the county. They would also like to see all the utility easements included on the maps. Kevin Pultorakk replied that the consolidation was provided. Kamil Baraniewicz agreed it had been provided but the recording of the consolidation survey map including the utility easements still needs to be filed with the county. Chairman VanEtten told the representatives from Nolan Engineering this will have to be provided before they can get a building permit. Kamil Baraniewicz stated that since the sewer and water discharges off site they want to make sure those easements are in place with a written document. Kevin Pultorakk understands that they will have to show a larger area on the map to include the easements to the north with all the areas they are going to use for their utilities. The deeds of the surrounding lots show the record of these easements, they just need to see them on the survey map. Chairman VanEtten read the next condition regarding approval from the NYS DOH on the water system design. Discussion was had on what entity, state or county would be overseeing the water system. Collin Parsons from Nolan stated that on the county website it states all water systems are deferred to the state. Kevin Pultorakk followed with stating that they got the well inspected, the yield test, the five part test and that the applications have been applied for and sent in to the NYS DOH. The owner has a consultant who will be

designing any treatment systems that may be required. Chairman VanEtten asked if they had gotten any specifics back on the quality. They stated they have the information and can provide it, they had just received it and were not sure of the extent of the treatment system that will have to be in place. There is a water treatment consultant that will be paneling that stuff. Board member Vadney questioned why the internal plumbing isn't shown on the drawing. The answer was that it is at the building department level and all that will be provided during the building permit process. Chairman VanEtten then suggested they move on to the septic because it has been ongoing. He stated that he received the design they sent over and that they are basically starting from square one. Kevin Pultorakk responded that they have been in touch with DEC and have gone through all the proper application processes. They had the existing septic system inspected and based on that inspection they have changed the design. They are keeping part of the existing system and providing a new piece as a part of the design of the building. Colling Parsons followed by explaining that the original system had a higher capacity than what they would need, but they did not know the condition of the system. They had all the tanks inspected and tested the pumps and aerators and ensured they were all working. The tanks had cracks in them and were not traffic rated so they would not be able to use the existing tanks. That is why they designed the new system with their own tanks. Chairman VanEtten asked if they were aware there is a separate building permit for the septic. Nolan representatives replied that they were aware. Chairman VanEtten questioned if the SWPPP was finalized. Kamil stated that it is there it just needs to be coordinated with all the revisions made to the plans. Chairman VanEtten asked about the existing well and septic for the small house located on the project site. Kevin from Nolan replied that they will be decommissioned. Chairman VanEtten asked if they had any correspondence with DOT regarding the entrance and new exit. Kevin replied yes that it was provided earlier that day. Kevin stated they had been approved stage 1 from the DOT and provided the corresponding paperwork to the board members. Kamil stated that prior to construction the DOT will provide a final. Chairman VanEtten then addressed the condition regarding a landscape screen between this property and the property to the rear. Kamil responded that it was something found in the deed for the site which was an agreement made by Mr. Brandt when there was an intended living facility to be located behind the gas station site. They would like to know if that condition is still in place and if it is not asked to provide written confirmation from the owner of the property that no longer is required. Kamil brought up that any signage will need to be applied for with a separate sign building permit and must comply with the town code. Chairman VanEtten then read the condition regarding the Agriculture and Markets review of food preparation. Kevin Pultorakk replied he had a preliminary discussion with Agriculture and Markets on that. Chairman VanEtten asked if there will be a small quick mart in the building. Kevin replied that there will be a small kitchen, not commercial.

Chairman VanEtten asked if the Greene County DOH has weighed in on the water system or septic. Collin Parsons stated that the water is reviewed by DOH and the septic by DEC. Board member Vadney clarified that the review of the water and septic will not be reviewed by the county but by NYS DOH and DEC. Kamil stated that it depends on the county which agency covers it, and the resolution can reflect the language of either county or state approval. Board member Court asked what the maintenance of the septic systems sand filters in terms of what will need to be done. Collin Parsons responded that the system will be serviced every 6 months and will include cleaning the filters and aerators and raking the sand filters and making sure there is no vegetation in them. Board member Court asked if they were exposed. Collin responded that they are located right above the surface. Maintenance on the system will be scheduled by the manager of the store once it is open. They will provide it in their certification letter that maintenance will have to be done every 6 months. Kamil Baraniewicz added that there were still a couple of items that were not included in the resolution that were still pending. One being if the applicant would consider putting a brick veneer around the gas canopy pillars to match the building for aesthetic purposes. It is not required but asked if the owner would consider it, as it generally looks more appealing. Chairman VanEtten asked if the property owner would consider it. Kevin Pultorakk responded that they could bring it up. The clerk stated she didn't think it was necessarily condition material since it is a personal preference. Chairman VanEtten stated he didn't think the board had the jurisdiction to insist on it. Board member Court added that it could also hide potential issues of decay or any needed maintenance. The other item was regarding the water storage tank. Kamil asked Kevin from Nolan if the plan was for the storage tank to be inside. Kevin responded that was the idea right now, but they still have to look at it to see if it would be feasible. Board member Court asked the size of the tank. Kevin Pultorakk replied that it is a 2000-gal tank which is 2 days of water for the building. Discussion was had about the location of the tank if it had to be moved outside. Kevin indicated that they intend to have it located inside the building and if it has to be moved outside for any reason it will be submitted to the building department. The board suggested that if the plan changes and the tank needs to be moved, that it be reflected on an updated site plan. Kevin stated that the plan is to have it in the building, and if it needs to extend the cooler can get smaller and that there are adjustments that can be made to ensure it fits in the building. Chairman VanEtten asked if there were any other comments, questions or concerns. Board member Vadney asked what the timeline was for the construction of this project. Kevin from Nolan replied he was not sure and would have to check with the owner. Chairman VanEtten reiterated that the conditions will have to be met before they can get a building permit. He then read aloud the resolution with conditions.

RESOLUTION TO APPROVE CHEEMA GAS STATION SITE PLAN APPLICATION

WHEREAS, Surinder Cheema, wishing to construct a Gas Station/Convenience Store on parcel bearing Tax Map # 40.00-4-2.22 and 40.00-4-2.112 located at 12552 U.S. Route 9W, submitted a Site Plan Application at the May 9, 2024, Planning Board Meeting; and

WHEREAS, a GML 239-m Referral was completed and submitted to the Greene County Planning Board with the response of local decision with comment; and

WHEREAS, letters were directed to the Greene County Planning Board, NYS Department of Environmental Conservation, NYS Department of Transportation, NYS Office of Parks Recreation & Historical Preservation and the NYS Department of Health advising of the Planning Board's intent to take Lead Agency; and

WHEREAS, after further discussion and consideration by the Members of the Town of New Baltimore Planning Board during the March 13, regular monthly meeting, it was

RESOLVED, that this action be granted a negative declaration for the purpose of SEQRA, and

WHEREAS, a Public Hearing, having been duly published in The Times Union, was held on said application at the New Baltimore Town Hall on April 10, 2025, with members of the public offering comment; and

WHEREAS, following further review of engineer comments at the June 12, 2025, regular monthly meeting, it was

RESOLVED, that the Planning Board approve the Cheema Gas Station/Convenient Store Site Plan Application with the following conditions:

...The applicant must provide a PDF of the Lot Consolidation Maps as recorded with the Greene County Clerk's office to the Town and the Towns designated engineer.

...The Applicant shall provide a revised survey map showing all utility and access easements on the property. Including written easement agreements that demonstrate the perpetual use of the adjacent property for vehicles, utility and stormwater access.

...The Applicant must provide approval from NYS DOH for the proposed water system design including specifics on lateral size, connection methods, backflow prevention, treatment, and storage. Internal plumbing will be reviewed by the Building Department.

...The Applicant must provide approval from the Greene County or NYS DOH on the proposed septic design and final design of the proposed pipe sizes, inverts, slopes and materials. Internal plumbing will be reviewed by the Building Department.

...The applicant must submit a finalized SWPPP with completed and assembled appendices. Final SWPPP shall include a draft version of the eNOI for the Construction General Permit, until such time the eNOI is submitted to NYS DEC prior to any disturbance. The SWPPP shall be coordinated with the final construction drawings once all agency comments are addressed.

...All existing wells and septic systems shall be decommissioned in accordance with County and State health department requirements. A Water Well Abandonment and Decommissioning Report shall be submitted to NYS DEC and proof of that filing shall be submitted to the Town.

...The Applicant shall provide NYS DOT PERM 33-COM approval correspondence for the driveway access and layout to the Town and the Towns designated Engineer.

...The Applicant shall comply with the landscape deed agreement between them and the adjacent property in the rear (Parcel 40.00-4-2.111) for a landscaped screen of the truck fueling operations or provide written confirmation terminating this requirement.

The conditions mentioned above must be met before a Building Permit can be secured

...Any future proposed signage including vehicular fuel sale signage, ground mounted signage and building signage shall comply with the Town of New Baltimore requirements and shall be submitted under a separate signage application through the Building Department.

...The applicant shall provide the NYS Agriculture and Markets review and approval of food preparation during the Building Department review process.

Motion to approve the Cheema Gas Station/Convenience Store Site Plan Application

Motioned by Ann Marie Vadney, Seconded by William MacDonald

Aye: 6

Nay:

Abstain:

Absent: 1

Motion Carried

Chairman VanEtten asked about the status of the escrow for this project. The Clerk replied that she had sent it over to Nolan Engineering and that Mr. Cheema is traveling right now. Chairman VanEtten explained to Kevin from Nolan that they will need that requested escrow payment because everything new that comes in will have to be reviewed by the towns designated engineer Creighton Manning.

Open discussion...

Colburn/Meredith Lot Line Adjustment The board reviewed the maps for the Colburn/Meredith Lot Line Adjustment. The Clerk explained that they are basically swapping a small strip of land from one side of the property to the other. Their plan is to submit for a minor subdivision and wanted to make sure the lot will be conforming when they do that. There is no change in acreage of the properties. Chairman VanEtten then read the resolution.

Colburn/Meredith Lot Line Adjustment Resolution

WHEREAS, Jeffrey Colburn is wishing to move 0.177 acres from parcel #17.00-5-1.21 located on Kings Road to parcel #17.00-5-1.22 located on Kings Road in the Town of New Baltimore, and Mike and Holly Meredith wishing to move approximately 0.177 acres from parcel #17.00-5-1.22 located on County Route 61 to parcel #17.00-5-1.21 located on County Route 61 in the Town of New Baltimore (resulting in no change in acreage for either parcel) submitted an Altered Lot Line Application at the March 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 change were submitted at the June 12, 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 Colburn/Meredith Lot Line Adjustment

Motioned by Ann Marie Vadney, Seconded by Robert Court

Aye: 6 Nay: Abstain: Absent: 1

Motion Carried

Colburn/Meredith maps were then stamped and signed.

Motion to approve the May 8, 2025, regular Planning Board monthly meeting minutes

Motioned by Ann Marie Vadney, Seconded by William MacDonald

Aye: 6 Nay: Abstain: Absent: 1

Motion Carried

Motion to Adjourn the June 12, 2025, Planning Board meeting

Made by Ann Marie Vadney, Seconded by William MacDonald

Aye: 6

Nay:

Abstain:

Absent: 1

Motion Carried

Meeting Adjourned 8:07pm

DRAFT