

## LIVINGSTON PLANNING BOARD

June 03 2015

The regular monthly meeting of the Livingston Planning Board was held June 03 2015 and opened at 7:00 p.m. In attendance were Chairman Philip Schmidt, James McFarland, Bernie Stickles, Robert Bellinger, Sal Cusumano, John Ross and Stephen Thibeault. Attorney Theodore Hilscher  
Engineer Jay Trapp.  
Absent:  
Chip Keil

A motion to accept the minutes of the May 06, 2015 meeting was made by James McFarland and 2<sup>nd</sup> by Bernie Stickles.  
All present voted AYE.

### Correspondence:

Letter received from the Livingston Fire Company.  
Letter received from Jon Salkin.

Dan and Taylor Suarez owners of Suarez Family Brewery submitted a Special Use Permit and Site Plan to be able to brew beer. Andrew Didio a Consultant for Taconic Engineering DPC gave a presentation of the plans. Property located 2278 Route 9. The applicant wants to use the property for the manufacturing and storage of beer, on site consumption of beer, and retail sale for off-site consumption. DOT recommends a single entrance and the ADA parking has been moved.

The public hearing opened at 7:03.

### Comments from the Public:

1. Renate Frank the next door neighbor asked the following questions.
  - a. The use of the brewery? It will be used to brew beer, retail tasting room and the owner will be living in an apartment upstairs.
  - b. The hours? They will be Wednesday to Sunday 11 to 9.
  - c. Parking will be 28 spaces with 2 ADA spaces.
  - d. Will there be a lot of trucks backing up? Deliveries will be 1 each week and small grain once a month.
  - e. Smell? Mash will be put in totes and will be sold to farmers for feed. No compost outside.
  - f. Propane permitted underground? Yes.
2. Nicholas Pandjiris a farmer is glad young people are going to invest in the Community and will support other business.

### Written Correspondence:

1. N.Y. S. Parks and Recreation Mr. Pierpont. No impact on Historic House 1,000 feet away.
2. A letter from Mr. Jon Salkin 2279 Route 9 Livingston had several concerns.
  - a. Line of site on Route 9
  - b. Waste water and the impact on wells
  - c. Propane tank.
  - d. Disposal of liquids and solid waste.

Andy Dittido will address these concerns.

Public hearing closed 7:12.

As motion to declare this application Type 1 and Part II making the Livingston Planning Board the Lead Agency was made by Bernie Stickles and 2<sup>nd</sup> by Robert Bellinger. All present voted AYE.

This application will be forwarded to the Columbia County Planning, DOT and the Office of Parks and Recreation.

The applicant to return to the July Meeting at that time the SEQRA will be prepared.

Hudson Valley Creamery an amended site plan to be able to have storage of liquid nitrogen represented by Attorney Tim Turner. Also present Peter Kindel, Plant Manager and Jack Dority Petro Chemical Mechanical Services.

A presentation was given and discussed.

1. Approximately 6,000 gallons of nitrogen will be used yearly and filled once a month.
2. It is a self-contained unit.
3. Protective equipment is in place.
4. Evacuation policies are standard for employees.
5. All filling of the tank is done by the supplier who owns and maintains the tank.
6. A 6 foot chain link fence and 6 concrete steel bollard posts will surround the double wall (inner aluminum and outer steel) special tank.

Comments:

Could the tank be installed in the rear? That would double the length of the pipe and the back of the building has a large slope.

Attorney Hilscher confirms the set backs are conforming,

CEO Jay Trapp has recused.

Council member Kelly McDonald asked how far will an evacuation for the Town be needed? There will be no safety hazard and no need to evacuate the area. The unit has an automatic shut down and as for the safety of the employees there are many exit doors. Training drills are held regularly.

Attorney Hilscher prepared the short form SEQRA. The Board answered NO to all questions.

A motion to approve a negative declaration was made by Robert Bellinger and 2<sup>nd</sup> by Bernie Stickles. All present voted AYE.

A motion to approve the amended site plan for the Hudson Valley Creamery as presented was made by John Ross and 2<sup>nd</sup> by Sal Cusumano. All present voted AYE.

An application for a special use permit was received from Louis DiGiovanni, Livingston, New York pursuant to the Livingston Town Zoning Law. The property is located at 3080 Route 9. The applicant intends to build a garage which exceeds 1,500 square feet. The construction of an accessory structure of that size requires a special use permit. The application is complete.

A public hearing will be held July 01 2015 7:02. To be advertised.

Phil Massaro representing Barry Sirmon with a lot line adjustment on Sparrow Bush Road. Parcel 1 5.10 acres and Parcel 2 16.272 acres. No application needed. Maps will be stamped and signed by the Planning Board Chairman.

Chad Linderg representing Kenneth Sheffer with a Special Use Application the property is located at 309 Water Street, Livingston, New York. The applicant intends to expand his residence, which is an existing non-conforming use, by more than 50%. Such an expansion to an existing non-conforming use requires a special use permit.

A public hearing will be held July 01 2015 at 7:04. To be advertised.

There being no further business before the Board a motion to adjourn was made by James Mc Farland 2<sup>nd</sup> by Stephen Thibeault... All present voted AYE.

Next scheduled regular meeting will be held July 01 2015. Meeting closed at 7:45p.m.

Respectfully submitted,

Eileen Yandik  
Secretary Livingston Planning Board