

**PLEASANT VALLEY PLANNING BOARD MINUTES**  
**JULY 12, 2016**

A regular meeting of the Town of Pleasant Valley Planning Board took place on July 12, 2016 at the Pleasant Valley Town Hall, located at 1554, Main Street, Pleasant Valley, New York 12569.

Present:	Chairperson:	Rebecca Seaman
	Board Members Present:	Michael Gordon
		Robert Fracchia
		Heather Patterson
		Trish Prunty
		Joy Dyson
		Norman Mackay
Staff:		Michael White
		Sonia James

Consultants:	Kyle Barnett, PB/ZBA Attorney
	Pete Setaro, PB Engineer

Chairperson Ms. Rebecca Seaman called the meeting to order at 6:30 p.m.

The Chair stated that the Board will go into an Executive Session before the start of the meeting with the Board Attorney for the purposes of attorney client communication.

A Motion was made by the Chair to go into executive session it was seconded by Mr. Gordon and was approved 7-0.

A Motion was made by the Chair to end the executive session it was seconded by Ms. Prunty and was approved 7-0.

First Item addressed was:

**Referral to ZBA - Central Hudson – ‘G’ Line North Transmission Lines Rebuild Project for Height Variance**

The Chair requested the Zoning Administrator to offer his comments.

Mr. White stated that he had to make the decision whether an area variance for poles height was needed. After consultations with the ZBA/PB Chairs, and the Board attorneys he made an administrative decision that Central Hudson needed to apply for a height variance with the Zoning Board of Appeals.

Mr. White took the Board through his Administrative Decision of May 24, 2016 (attached). Mr. White further added that he has decided that Central Hudson can apply for a single variance for all 37 properties (37 poles to be erected on different properties) instead of applying for separate ones for each property.

Mr. Anthony Morando represented Central Hudson, he thanked Mr. White and informed that a letter dated July 12, 2016 was sent to the Zoning Board of Appeals Chairman Mr. John Dunn and ZBA members, informing them that the Central Hudson would like to withdraw the second relief requested in its June 8, 2016 Appeal to the ZBA, which requested an interpretation that no height variance is necessary. This decision was made by his client to move the process forward and expedite the procedure. He stated that they were there to seek Planning Board referral to the ZBA for a height variance. Present line is deteriorating and has to be replaced as it is 80 years old, and vulnerable to lightning strikes. The purpose is to give good service to avoid interruptions. 3.6 mile line will be replaced in The Town of Pleasant Valley and 4.5 mile in the Town of LaGrange. Central Hudson will shift the lines 25 feet to towards the center of the right of way. Number was poles will be reduced from 58 to 50 thus there will be 14% reduction. Poles will be brown in color so it sets into the landscape. Poles will achieve the height of 40-77 feet, average increase will be 10-15 feet increase in height.

The Town of LaGrange Planning Board concluded that the change in pole height is acceptable as this will not have any negative environmental impact. Central Hudson, requested the Planning Board to consider all these facts before giving a referral to the Zoning Board of Appeals.

Ms. Prunty wanted to know if the old pole(s) will be cleared away once they are replaced. She was told that the old ones will be removed from the site.

Ms. Patterson wanted to know if the new height was required because of the new regulations.

Mr. Morando stated that the height requirement is based on several factors, such as lightening protection, safety of workers, reduction of number of poles, many factors were considered under the new regulations.

Ms. Dyson wanted to know if the height will be required for all poles.

Mr. Morando explained that the heights of the poles will vary.

It was noted in discussion that it would be impossible for Central Hudson to change specifications for the electrical line for each town that the line crosses

through. The height variance is necessary for the design of the line, both for efficiency of delivery of electrical services and safety considerations. It is not possible to construct the line as engineered without the height requested for the poles as designated.

A motion was made by the Chair to give a positive recommendation to the ZBA for approval of the height variance requested from 40-70 to 50-77 feet. Motion was seconded by Ms. Prunty and was approved 7-0.

The Chair invited Mr. Morando to announce the site plan visit to the public.

Mr. Morando announced that the Site Plan visit will be conducted by the Planning Board on July 26, 2016 at noon.

The Chair further added that couple of meeting sites were discussed. She also reiterated that the site plan visit is not a public hearing, by law, the Board Members are not allowed to hold discussions amongst themselves or public, or to offer any opinions.

Mr. Morando submitted a site plan informing members that they would be meeting at 151 Pleasant View Road at 12 noon on July 26, 2016, and then proceed to Drake road. The chair noted that additional locations might be visited upon request.

### **Public Hearing**

### **Central Hudson – ‘G’ Line North Transmission Lines Rebuild Project**

The Chair reminded all present that this was a continuation of last month’s public hearing.

Mr. Morando offered to give a quick update on the project from Central Hudson. He stated that it has been determined that there will be no significant negative environmental effect from the project. He further stated that they have done their best to respond to all concerns raised during the public hearing. They also received memos from the Planning Board Engineers – Morris Associates and they feel confident that changes were made as per requested by the engineers.

He also stated that wet land and flood plains permit applications were submitted to the Zoning Administrator.

A motion was made by the Chair to re-open the public hearing for the Central Hudson, it was seconded by Ms. Patterson and was approved 7-0.

**Mr. Richard Barrett of 151 Pleasant View Road**

I'd like to speak about couple of issues. I am not an opponent of new lines. I have fair knowledge of electric lines. They keep referring to re-built in the right of way. They say lines have been moved 25' towards the center of the right of way. But this puts the poles closer to my property. In their response they state that as I did not have a pole on my property I have no right to say anything.

The Chair stated that as she reads it, it means that they did not meet with you for the pole placement meetings as there were no poles on your property and Central Hudson was meeting the residents who had the poles on their property.

Mr. Barret stated that he would like to show the Board when they are on a site visit, that presently the poles are at 65' and have lightening protection. If the poles are put higher than trees the lightening will hit the poles instead of trees.

Central Hudson never cleared the right of way before 2009. He suggested that the Board should walk the right of the way or go to Quarry and look back at the poles. Original design did not have this height. Do we really need new poles? I got concerns and I am in touch with the public service commission. No one from Central Hudson met with me.

Mr. Barret further stated that all poles in pleasant valley are moved away from the houses but when it makes a turn the poles move closer to the houses.

Mr. Morando stated that the purpose of Public Hearing is to give responses, we have consultants and engineers designing this project line. We have addressed all concerns raised during the Public Hearing.

Mr. Gary Casaro, Central Hudson Project Manager stated that basically lots of responses were made to the Public Hearing concerns. Central Hudson met with the residents who had poles on their properties as Mr. Barret did not have one on his property so he was not met by the Central Hudson's representative.

Mr. Casaro also stated that whenever the old pole is damaged it is repaired or replaced. This will be entirely a new line is designed keeping in mind, all the environmental codes and other issues. Our engineers have come up with the design and height. We are responsible for this design and for the safety of our

workers. We have already presented to the Board that this is an 80 years old line and needs to be replaced and updated.

Mr. Morando reminded the Board to stay focused on this new line.

The Chair stated that the Boards jurisdiction is on “G” line. She let Mr. Barret know that he is most welcome to take a picture of other poles, but other matters apart from “G” line are out of our jurisdiction. The Chair also informed Mr. Barrett that he was welcome to bring pictures of other sites, but that the site visit of the Board would be limited to sites that were actually part of this application.

A Motion was made by the Chair to Adjourn the Public Hearing till August 9, 2016. It was seconded by Mr. Mackay and was approved 7-0.

Next item on agenda was:

**Sub-division Application – Joseph and Marie Luzzi, Located at: 96-122 Ross Way Road Pleasant Valley NY 12578**

Mr. Brian Franks represented his client and stated that this was a simple Change in Boundary Line request.

The Chair invited Mr. Setaro to share his comments.

Mr. Setaro stated that as per the suggestion given to the client in his memo of April 15, 2016 all the concerns have been addressed. A Revised submission was put in by Mr. Franks dated May 16, 2016. Following were his comments:

1. Applicant has requested waivers as this was a simple lot line adjustment, to which we have no objection
2. A waiver has been requested for full subdivision in accordance with section 82-25B for lot line adjustment. This request seems reasonable therefore a final approval resolution has been prepared for board’s approval
3. Applicant has discussed the dedication of the right of way along Rossway Road with the town board and the board is agreeable to the dedication.
4. A negative declaration and final subdivision approval is submitted for the Boards approval.

A motion was made by the Chair to accept the request for waivers, it was seconded by Ms. Prunty and was approved 7-0.

A motion was made by the chair to grant the final approval, including the negative declaration under SEQRA, it was seconded by Mr. Gordon and was approved 7-0.

### **Minutes of Planning Board Meeting**

A motion was made by the Chair to approve April 20, 2016 Planning Board meeting, it was seconded by Ms. Prunty and was approved 7-0.

A motion was made by the Chair to approve May 10, 2016 Planning Board meeting, it was seconded by Ms. Dyson and was approved 7-0.

A motion was made by the Chair to approve June 14, 2016 Planning Board meeting, it was seconded by Ms. Prunty and was approved 7-0.

A Motion was made by the Chair to close the Planning Board Meeting, it was seconded by Ms. Patterson and was approved 7-0.