

PLEASANT VALLEY PLANNING BOARD MINUTES
AUGUST 9, 2016

A regular meeting of the Town of Pleasant Valley Planning Board took place on August 9, 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
		Joy Dyson
		Norman Mackay
	Board Member Absent:	Trish Prunty
Staff:		Michael White
		Sonia James

Consultants: Jim Nelson, PB/ZBA Attorney

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

Minutes of Planning Board Meeting

A motion was made by the Chair to approve the minutes of the July 12, 2016 Planning Board meeting, it was seconded by Mr. Gordon and was approved 6-0.

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. She announced that the Planning Board Engineer was not present.

Mr. Nelson announced that the ZBA had granted height variance to Central Hudson.

A Motion was made by the Chair to re-open the Public Hearing, motion was seconded by Ms. Dyson and was approved 6-0.

Mr. Morando represented Central Hudson and brought the Board up to date with the following:

1. A Site Plan visit to selected locations along the 'G' line rebuilt project was conducted by the Planning Board Members along with representatives of Central Hudson on July 26th 2016
2. Central Hudson appeared before the Pleasant Valley Zoning Board of Appeals and the applicant was granted the Height variance requested.
3. Mr. Morando stated that the Public hearing has stayed open for a long time, they have already had 9 public hearing sessions and appealed to the Board to close the Public Hearing.

The Chair invited anyone from the public to speak.

Mr. Richard Barrett of 151 Pleasant View Road

Mr. Barrett handed a written note to the Chair, requesting:

1. Supplemental SEQR review should be conducted as new information is discovered regarding poles cone.
2. Central Hudson should address whether the new structures have the design capacity to operate at a voltage higher than 69 KV, either now or in the future?
3. Poles will be located 50' off of the western edge of row and 25' off of the property line between 117 and 151 Pleasant View Road. Exact measurement is needed, not approximate.
4. Require 6' high privacy fence along 500' property line between 117 and 151 Pleasant View Road.
5. Plant 10 fruit trees at 151 Pleasant View road
6. Repair all damages, grind all stumps, top soil and seed.

He informed the Board that he attended the Zoning Board of Appeals and brought to their attention the discrepancy in pole heights. He stated that he would like to explain how the Board was misled by Central Hudson.

Mr. Barrett requested the board to conduct a supplemental SEQR review. The reason for this was that he seemed to think that Pleasant valley was not adequately represented by the Town of LaGrange.

The Chair stated that this Board cannot conduct as supplemental SEQR review that would be responsibility of the Town of Lagrange as they are the Lead

Agency. Under the State law Town of Pleasant valley could not act as a co-leader. This Board does not have any jurisdiction in these situations.

Mr. Barrett raised the question as to whether the new structures had the design capacity to have higher voltage. He did not want Central Hudson to cut more into his property line. He requested the Board to give a conditional approval to Central Hudson, to put up a 6' high privacy fence between his property and his neighbors. He also wanted fruit trees planted on his property. He stated that in 1930's 50 feet of land was cleared, whereas in 2009 100 feet was cleared in the easement right of way.

Mr. Barrett further informed that Central Hudsons Public Hearing notice states that the difference between the poles heights will be 10-15 feet which is incorrect. He added that the height of the underground (7') was added to the height, if the buried height is subtracted it leaves the existing pole height of 45'. Therefore the height difference between the new and old poles will be 22 ½ feet.

The Chair informed him that the Board did not have any jurisdiction, the determination of the pole height is subject approval by the ZBA as Central Hudson requested the height variance to accommodate the size of pole needed.

Mr. Barrett asked for a 6' fence to be built on his property.

The Chair commented that the Board did understand his concern to protect his property.

Mr. Gordon stated that he wished the Board could do more.

The Chair further stated that the Zoning affect the terms of an easement already in place.

Mr. Barrettt stated that he talked about putting the power lines underground.

Mr. Fracchia wanted to know how Central Hudson will be clearing the land once new poles are installed. He shared two pictures with the Board and Central Hudson. One was on Drake Road which was cleared after the cutting, the other was on Rossway Road where the debris was left behind after clearing. Mr. Fracchia requested Central Hudson to chip the wood instead of leaving piles of cut trees lying around.

Mr. Morando stated that site plan profile shows exact height of the poles. The drawings were prepared by the experts. He further stated that maintenance of the of right of the way is not part of the site plan that is before the Board. That part is addressed by the DEC. He stated that they do not want to make a long term commitment, debris is left behind in order to help the habitat and integrated vegetation plan.

Mr. Gordon stated that the word “clearing” means to clear the area.

Mr. Fracchia stated that when driving toward East on Route 44, the trees left behind after clearing create a fire hazard.

Ms. Dyson wanted to know how far the Gas Line was from the right of way.

Mr. Cassaro stated that the gas lines are 50-60’ away from the electric lines.

Ms. Mackay wanted to know if a pole has ever fallen over.

Mr. Cassaro stated that only time he has ever heard of pole falling was when it was hit by a car or a truck.

Mr. Fracchia also wanted to know that when the machinery will be brought in for putting in the poles, would the land owners be informed about this. He further stated if the new poles would affect the wells, septic and leach fields.

Mr. Cassaro stated that there should not be any wells, septic or leach field in the right of the way.

Mr. Fracchia asked Mr. Barrett where his well and septic were located on his property.

Mr. Barrett informed that the he has his well and septic in his front and back yards.

Mr. Fracchia had reservation regarding the herbicides sprayed on the resident's properties.

Mr. Cassaro stated that all spraying was done according to State regulations.

Ms. Dyson wanted to know how long the whole would project take.

Mr. Cassaro informed that the project will take anywhere from 8-12 month. But work will be done in section and each section will take few weeks to finish.

Mr. Fracchia inquired if there would be special phone number allocated to this project so that the residents would be able to call and voice their concerns.

Mr. Cassaro stated that they have a hot line to call Central Hudson but there is no direct number allocated to this specific project yet.

Mr. Fracchia wanted to know if the project would be sub-contracted.

He was informed by Mr. Cassaro that the project would be sub-contracted and Central Hudson does not have enough man-power to do the project themselves.

Mr. Barrett added that if there if a major storm, was there a chances a pole could fall.

Mr. Arthur Sirois of 117 Valley View Road, wanted to know who is checking Central Hudson to see if all the work is done within the stipulated regulations, if there was a State Inspector who checks if the work is done properly or not.

Mr. Robert Renda of 156, Pleasant View Road informed the Board that in July 2016 his property was cleared, he wanted to know if this was done in preparation for this project.

Mr. Barrett commented that when Central Hudson sub-contracts the tree trimmers they clear all including shrubs and bushes. He informed that when the "G" line project begins he will be there to oversee all.

The Chair stated that when we approve the Site Plan locations of poles should be precise no approximate. We have several issues still before the board. She wanted to put on record that when the Board approves a site plan, this approval includes vegetation and landscaping. The approved appearance of a Site Plan must be maintained. It is not a screen shot at the time of approval

that can be changed we approve vegetation, it is not a screen shot at the time of approval that can be changed after completion of the approval process. Board does not want fire hazard or visual degradation. It is important to consider that the State regulates spraying of the herbicides.

The Chair stated that Central Hudson's Public Hearing has been open for a long time. It will be my recommendation that we will still accept comments from CAC and FAB. She added that she would like to make a motion to close the public hearing.

Mr. Morando stated for the record that his client would like to reserve the right to review the comments and handouts.

Mr. Nelson stated that even if the public hearing is closed the applicant and the Board can still hold a dialogue. He further added that all documentation are with the secretary for viewing.

A Motion was made by the Chair to close the Public Hearing, it was seconded by Mr. Mackay and was approved 6-0.

A Motion was made by the Chair to close the Planning Board Meeting, it was seconded by Mr. Gordon and was approved 6-0.