

OFFICE OF THE PLANNING BOARD

Town of Schaghticoke
July 7, 2021

PUBLIC HEARING

7:30 P.M. There were none.

REGULAR MEETING

Members present were: Wayne Akin, Dan Clow, Brian Davidson, Elizabeth Hale, Robert Weir and Scott Wiley. Frank Alessandrini was absent. The minutes from the June 2, 2021 meeting were reviewed. Scott Wiley made a motion to approve the minutes as submitted. Wayne Akin seconded.

Ayes: Akin, Clow, Davidson, Hale, Weir, Wiley

Nays: None

Kristin Pratt, Deputy Town Attorney, was present.

Brian Davidson acted as Chairman in the absence of Frank Alessandrini.

Brock Gravel Mine Pre-filing Conference PJ Hognestand appeared to represent the applicants, the Brocks, to create a gravel mine on 7-10± acres located on the Brock Farm at the end of Doty Hill Road. In order to access the mine and gravel, the hill to the east is planned to be leveled. The mine would be shielded from public view. Plans include accessing the mine from East Schaghticoke Road, off NYS Route 40, and Doty Hill Road with, perhaps, a maximum, of 20 trips per day. The life of the mine is expected to be 5 years, with a possible extension of an additional permitted 5 years, with hours of operation from 7 am to 4 pm, Monday through Friday. Mr. Hognestand stated that he consulted with both the Highway Supervisor and Ms. Psalm from DEC; neither expressed any concerns related to the proposed ingress and egress. With regard to traffic, Mr. Hognestand stated that tractor trailers, carrying livestock, milk, and feed, enter and exit the property daily to service the existing agricultural operation. In addition, Mr. Hognestand added that following the life of the mine and reclamation the property owner plans to use the leveled land for the growing of crops. Mr. Hognestand stated that there would be no onsite processing of the mine contents or blasting and, therefore, no substantial levels of noise would be created by the proposed mine.

Attorney Pratt explained the sequence and process for the application, including the role of lead agency, that the Planning Board operates within a limited framework concerning mines and that DEC maintains the majority discretion over mining permits and necessary conditions.

It was noted that, in the case of gravel mine applications that the Planning Board has entertained, DEC has acted as lead agency, acting initially with the SEQRA process which must be completed before the Planning Board may issue a decision on the application. In addition, the Mined Land Reclamation Law is a New York State Law and local governments have limited ability to impose conditions related to mine operations.

Mr. Hognestand, as a new owner of the business, Troy Topsoil, has concerns about the engineering costs for the project and asked if the Board might be inclined to approve the proposal. In addition, he expressed concern with regard to the public hearing process and the impact on the decision from the neighbors' negative opinions on the Board. He favored a smaller number of notifications to reduce opposition.

Atty. Pratt suggested that he is welcome to reach out to the neighbors in the area prior to proceeding with an application.

Brian Davidson requested input from the Board members. Wayne Akin, Robert Weir and Brian Davidson expressed no concerns. Scott Wiley and Dan Clow stated that they would like to see the full application and listen to the public comments prior to providing an opinion on the concept presented. Elizabeth Hale expressed concerns with regard to traffic safety - in particular, the steep, narrow and hilly dirt access road to the mine, especially with a house (with little setback from the road) located at the bottom of Doty Hill Road.

Dan Clow made a motion to adjourn the meeting at 8:20 p.m. Scott Wiley seconded.

Ayes: Akin, Clow, Davidson, Hale, Weir, Wiley

Nays: None

Abbreviations:

DEC - Department of Environmental Conservation

NYS- New York State

SEQRA - State Environmental Quality Review Act

Respectfully submitted,

date: August 10, 2021



Elizabeth Hale, Clerk

Planning Board, Town of Schaghticoke