

Town of Stuyvesant
Planning Board Meeting
December 17, 2024

Members in Attendance:

T. Hotaling, Chair
M. Stasi
H. Leiser
J. Belline
T. Rappleyea, Town Attorney
G. Schmitt, Town Engineer

J. Silverman, AD Green and Co. LLC
S. Pica, AD Green and Co. LLC
S. Olson, Esq., Young Sommer
P. Prendergast, PE
Multiple residents of the community

Members not in Attendance

D. Fingar
G. Bury
H. Gibbons

T. Hotaling opens with the Pledge of Allegiance. The meeting is called to order.

Call to Order: 7:02 pm

T. Hotaling acknowledges that H. Gibbons has completed his term and is in the process of replacing him on the Board.

Motion: to approve the minutes of November 25th, made by M. Stasi; seconded by J. Belline. All in Favor. The minutes are adopted unanimously.

T. Hotaling states there are three items on the agenda starting with AD Green and Co. LLC and asks J. Silverman to approach the Board. J. Silverman introduces S. Pica who is a member of the company as well.

T. Hotaling reads this is a proposal to start a cannabis product manufacturing located at 1848 9J here in the Town. He observes that is the old Mello building. He continues, it is approximately 600 sq. ft secure storage room will be constructed, minor plumbing, minor electrical work and security system will be added. He asks them to explain their business to them.

J. Silverman explains they are a cannabis product manufacturing, where they purchase cannabis or cannabis oils from cannabis cultivators and turn it into things like pre rolls, gummies, edibles, those little things that that's pretty much all we do, at this at this location they are going to start with making pre rolls and gummies.

S. Pica explains the pre rolls are joints, like cigarettes, no tobacco.

T. Hotaling asks to explain the manufacturing process.

S. Pica explains the gummies use electric induction burners just for the pot, they mix the ingredients, cannabis oil, sugar, gelatin, and pasteurize everything, then pour into molds that cures overnight, typically sugar coat them similar to a candy and then package them into mylar bags.

T. Hotaling asks if they extract the oils from the raw products on site.

J. Silverman answers that they do not.

T. Hotaling asks how the pre rolls work.

J. Silverman explains that they take full cannabis flower, put it through a grinder, which is basically an industrial grade coffee grinder, if you will for comparison, then pack the flower using a machine that shakes it into the cone, twist off the top, then put into a box or bag as well.

T. Hotaling asks when they get the raw product to do that, what does that look like? Is it the entire plant?

J. Silverman explains it is already harvested and processed in a sealed bag.

S. Pica adds it is already processed from the cultivator to sellable material.

T. Hotaling asks what type of volume they are talking about.

J. Silverman answers that it is hard to tell since it is a new market.

T. Hotaling clarifies, what do they envision for onsite between powder and cannabis, raw materials.

J. Silverman and S. Pica observe the vault is 600 square feet, most of it in is tubs, 10 or 12 of those at a time and weigh a little less than 40 pounds each.

H. Leiser asks if it will be an additional building to the existing Mello building.

J. Silverman states everything will be inside.

T. Hotaling asks to clarify the weight and number of tubs, as well as the loose cannabis.

J. Silverman answers about 25-pound tubs, 5 to 10 tubs in storage, and about 20 pounds secured cannabis in a week's time.

T. Hotaling clarifies he is looking for averages of what would be onsite for both.

S. Pica explains on the oil side that would be in kilogram meters, 4 or 5 of those, and similar for the ground product.

J. Silverman adds that as they go through that, they will bring in more.

H. Leiser asks if the storage is before, after, or both and if anyone would be able to access the building at night.

J. Silverman responds both and that the building is fully secure with lighting, perimeter alarms and cameras, everything that the state requires for a cannabis facility.

T. Hotaling continues that they are initially looking for 3 full-time hires and then expanding to 6, or adding 6 more.

J. Silverman agrees, adding in the first year it would be to 6.

T. Hotaling asks the applicant to go through the security arrangements on the site.

S. Pica elucidates they will have 24 hour video surveillance 365 days a year, it will monitor all egress points in and out, so any place a person comes into the building there will be a camera on them, a camera will be on any place marijuana and cannabis is processed or stored, perimeter alarms and secure all the doors, so if a window breaks or a door opens, an alarm will go off. He adds that there will be a generator and a battery backup so there is no lapse if there is a power failure, the battery will run 8 hours, and the generator will run on propane for a couple days. He continues there is a 60-day storage of all the video, the vault will be a steel meshed kind of room that's built inside the building and will be secured with RFID locks.

T. Hotaling asks for their operating hours.

J. Silverman answers it is 8 to 6, Monday through Friday.

T. Hotaling asks how many people will be onsite during the day.

S. Pica responds there will be 3 to start.

H. Leiser inquires if there is 3 phase or if they are still on single phase with an inverter. He observes that it might be important to the fire company.

T. Hotaling asks if there is an existing fire suppression system.

J. Silverman responds that he thinks there is, but he will double check. He adds that he did get an initial CO from K. Haberland, and he feels he checked that.

T. Hotaling asks if their license requires an annual renewal.

J. Silverman responds, it is a 2-year renewal from the date of issue.

M. Stasi asks if there are any requirements for inspections with the license in terms of the State.

J. Silverman explains that when they are ready to operate, they submit a form to the State, then the State at any time can do an unannounced inspection whenever they want.

H. Leiser asks if they are utilizing the whole building.

J. Silverman answers yes and explains they are starting in a smaller area of the building.

S. Pica adds that they lease the whole building, no other operators, no other tenants.

T. Hotaling asks if they understand why they were referred to the Planning Board, he points out it is a manufacturing site, but this is a different type of manufacturing than what was previously there and requires a special use permit for this specific function.

J. Belline observes a similar operation in the Town with a larger building and went through the same process.

T. Rappleyea asks if the processing requires any water usage, ie, enough flow.

S. Pica explains it is very basic.

J. Silverman adds that the landlord didn't think that would be an issue, but he does not know the flow rate.

T. Rappleyea explains they would need that for the environmental review data, and to have an idea of how many gallons per day they would be using.

J. Silverman notes it would be minimal usage.

T. Hotaling observes it has been quite some time since anyone was active in that building

H. Leiser recalls a decent well capacity.

T. Rappleyea asks about wastewater and asks that they know what septic is there.

J. Silverman states there is no process that would result in wastewater, except for cleaning, sugars, and minimal stuff.

T. Rappleyea asks if they submitted the short form SEQR and states they should get that to the Board.

T. Hotaling asks them to also submit any well data they might have, and what kind of septic they have, since it has not been in use in quite a while.

J. Silverman asks if they can move to public hearing, he discusses further with T. Hotaling and T. Rappleyea who clarify that they need the SEQR and the flow data so they have an accurate answer, and rational basis.

T. Hotaling observes that the building was a preexisting manufacturing with 30 to 40 people, but the building has not been in use in 15 years, and it might be in the applicants best interest to know not only the gallons but if the well itself is clean with a basic water test.

T. Hotaling adds they will tentatively schedule the applicant for the meeting on the 27th.

T. Hotaling introduces the next applicant, Mr. Olson.

He reminds the audience that the application is a proposal to install and operate a new ground-mounted wireless facility and 150' wireless communication tower, property located at 122 Smith Road, Stuyvesant.

H. Leiser asks about the tower meeting minimum requirement and asks what happens when the trees grow.

S. Olson replies that the engineers have taken that into account, and adds, basically trees are there, and trees can block and their leaves can block signals. He advises, they are using a very low power technology, that's why in some areas where you have service, in the summertime, service could

decrease a little bit because the foliage comes out and it starts to block and absorb some of the signal. He continues, his firm submitted a letter earlier this month with a map and a list of 43 different locations they analyzed. He explains the balloon test, adding they want it to be comprehensive and all encompassing.

H. Leiser asks if they do that test to find out where they will get the best reception and the best signal.

S. Olson explains that the RF engineer has already made that determination, as they use various tools they have and know that there are significant gaps in service in this area and know where the sight tower needs to be, the balloon test is to analyze the aesthetic impacts. He interprets the map submitted and explains the balloon test.

H. Leiser asks if it is possible to camouflage the tower so it's not a piece of bright shiny metal sticking up in the air.

S. Olson acknowledges that the Board can design the tower to be a tree tower, it might make it more visible and may defeat the camouflage purpose, adding tree towers are very useful when they are around similar height trees. He elaborates why the tower may be less noticeable than a tree tower.

T. Hotaling asks who would arrange for the balloon test.

S. Olson points out that winter is a good time to do the test because there are no leaves on the trees; however, winter brings wind. He adds they will look at the forecast, find a good day, and give the Town notice of when they can do the test. T. Hotaling and S. Olson discuss at length.

H. Leiser asks if it is just one tether to the weather balloon.

S. Olson explains it is usually one tether the height of the tower.

T. Rappleyea verifies if the Board is good with the points on the map, or if they would like to add more.

T. Hotaling confirms it is very comprehensive and will suffice.

H. Leiser notes he drove to the spot just to see where it was.

S. Olson acknowledges it is in a tucked away spot.

A resident asks if the Board should notify neighboring towns about the balloon test.

G. Schmitt observes it is specifically within 2 miles.

S. Olson references the map and explains it further.

M. Stasi asks if there are options other than a galvanized pole or a tree tower.

S. Olson conveys there are other structures, such as things that fit a farming community such as a silo and explains that a 150-foot tower would need a 34-foot base and may draw more attention to the structure. They discuss it further.

T. Hotaling inquires if the tower will need safety lighting for aviation since it is too short.

S. Olson confirms that it is correct under the FAA requirements as it is under 200 feet.

H. Leiser recognizes it should be in a place where it is most functional.

S. Olson agrees that is what they are trying to do.

T. Hotaling asks S. Olson to review the seven other alternative locations they looked at.

S. Olson recalls most of the search area is owned by a farmer with a large operation, they did ask the owner of the Wil-Roc farm about silos but were 80 feet tall, which was not tall enough but more importantly, the owner was not willing to lease the space. He notes that took away a large portion of the search area, of the 7, 4 or 5 were located in that farm organization.

T. Hotaling reiterates for the benefit of the residents not at the last meeting, this tower completes a triangle for Valatie and Kinderhook and will enhance their cell service.

S. Olson acknowledges most of the service is currently coming from the Niverville/Kinderhook site located to the Northeast/Southeast, where this one is more in the middle of that triangle.

H. Leiser notes a lot of our service also comes from across the river in the Climax area.

S. Olson states he does not know about that.

H. Leiser explains how he knows, and they discuss further.

S. Olson mentions a site they are working on in Valatie as well, which is not close to fruition.

G. Schmitt requests for a copy of the RF Study, as he observes the letter from the engineer who completed it.

S. Olson states he will send it electronically.

T. Hotaling asks about dates for the balloon test.

S. Olson assures the Board he will have a date by the end of the week, and completed by the 17th so the application can be on the next agenda.

G. Schmitt asks if the date of the balloon test can go on the Town website.

T. Hotaling affirms that the Board can talk to the Town Clerk about it being published or an email blast and reflects on the additional points for photographs.

S. Olson affirms to let him know and they will comply. He asks the Board about Public Hearing if everything is received by the Board.

T. Hotaling observes that George will need sufficient time to review everything requested, it's a tight squeeze but can notify the applicant if that is possible.

T. Hotaling advises that the information will be available to the public if they want to see it.

T. Hotaling calls up the next applicant, Roudolph/ Pat Prendergast.

P. Prendergast states he is before the Board with the update on the archaeological study that was done. He continues that they did get the corn off the land, that Belltown tills that land and does not plow it, so the archologist had to do their own digs. He references the map of all the places that they dug, 241 holes. He adds the did find some pottery from the 50's, they did send their complete report to the office of parks and recreation historic preservation, and they did receive a letter from them stating there was no affect in archeology.

P. Prendergast goes on to state that in the meantime the fields have been planted with their cover crop for the winter, R, Rudolph has entered into an agreement with the folks that do the chestnuts and references a map of the original farm plan. He points to where the chestnuts will be planted in late March or April and they signed up for 900 chestnut trees. He continues that Matt Rudolph, the farmer, has moved into the site and is living in one of the trailers on site, as well as working on the white house on the property.

H. Leiser asks if that many chestnuts will change any of their other plantings, as the original plan was 500, and if they will still use the same spacing (35' in each direction).

P. Prendergast references the map and explains that now they are under contract and with the spacing it is 900, and they do start out really small, and confirms they will use the same spacing.

R. Rudolph clarifies that they will be planting potted trees, which are a bit larger, and they will be preparing the entire area in the spring, they will be about 2 feet tall and anticipate bearing chestnuts within 4 or 5 years.

M. Stasi resolves that they will be planting the potted trees in the fall.

R. Rudolph confirms this is correct and they will also be partnering with the SUNY schools to allow for study for people learning to plant chestnut trees, which is a movement across the Northeast to repopulate the chestnut tree.

T. Hotaling points out this was pertinent as it pertains to section 10 of the long form SEQR that was voluntarily reopened to conduct the archaeological study. He reads the letter from the archeological survey. He adds, prior to this the Board adopted a negative declaration on the SEQR.

Motion: to declare a negative declaration on the SEQR, made by J. Belline; seconded by M. Stasi. All in Favor. The motion for a negative declaration is adopted unanimously.

T. Hotaling expounds that the Board will need to move forward with resolutions on the project.

P. Prendergast asks about a conditional site plan approval at the end of January.

T. Hotaling states it will be discussed at the January meeting.

R. Samuels asks if it would impact the site plan review if they do not have sufficient wells.

T. Hotaling accedes that it may as a general question.

G. Schmitt explains that if anything changes while those agencies are doing reviews of the site plan after their initial review then the applicant will come back and resubmit the site plan if it is a significant change, or the Board can even reopen the public hearings.

T. Hotaling reiterates that this is a future state of the farm that the Board is looking at.

Motion: to adjourn the meeting, made by J. Belline; seconded by M. Stasi. All in Favor.

Adjournment: 8:09 pm

Respectfully submitted.

Patricia DeLong

Patricia DeLong
Planning Board Secretary