

**Town of Hamilton  
Special Planning Board Meeting**

Tuesday, August 8, 2023, 7:00 PM  
Hamilton Town Community Room  
38 Milford Street, Hamilton

**Present:** Mike Welshko, Elaine Hughes, Bettyann Miller, Mary Galvez, Kathleen Palmer, Deputy Town Clerk Elisa Robertson, Codes Officer Chuck Ladd

**Absent:** Pam Salmon, Planning Board Alternate.

**Others Present:** Jody Palmer, Delores Glazier, Deb Hotaling, Jason Broedel, April Lamunion

7:03 Chairperson Mike Welshko calls the meeting to order. He explains that the Board would like to immediately go into executive session to discuss some procedures and personnel.

Chairman Welshko informs the audience that the Public Hearing that was to be held for the 9-Mile Park application will not be held tonight so that any members of the community that may be here for that application do not waste their time waiting through the executive session. The applicant asked that it be moved to September. A few audience members came for that purpose, one of which was unable to be notified of the cancellation in advance. The Deputy Clerk apologized and stated that she had reached out to the people who attended the last two meetings via e-mail. The constituent asks about some of the signage along the road, some of which is on her property. The "No Parking" signs are within the right of way. The constituent asks if new notices will be sent out again; the answer is yes. She will be notified of the date, time, and place of the meeting. The Deputy Clerk asks her to please leave her e-mail on the sign in sheet, so she can be notified of any changes.

**Resolution 2023- 17: Motion to Move into Executive Session to discuss procedure and personnel at 7:10 PM**

Motion: Bettyann Miller

Second: Elaine Hughes

Vote: YES – 5 NO - 0

ADOPTED

The audience leaves the room so the Board can move into executive session.

The Deputy Clerk invites the public back in.

**Resolution 2023- 18: Motion come out of Executive Session to start meeting again at 7:22 PM**

Motion: Bettyann Miller

Second: Kathleen Palmer

Vote: YES – 5 NO - 0

ADOPTED

Board member Bettyann Miller recuses herself from this application because she does business with Broedel Energy.

**Broedel Energy Group: SPECIAL USE PERMIT APPLICATION, Preliminary Review, 2305 State Route 12, Tax Map # 171.-1-29.122.**

The applicant wishes to put in gas pumps for use by the public. There will be no other sales. They will be offering gas and diesel fuel. There will be no other structures except for the concrete island and gas pumps. Customers will be able to pay cash in the building during regular business hours and pay at the pump 24 hours. There will not be any convenience store merchandise. They will more than likely add security cameras. All the fuel-holding tanks will be above ground. There are engineered plans for the driveway, and it has been approved by the DOT. An engineer will do all the inspections and the Town CEO would like to work with him because he does not have any experience with a project like this. DEC has many regulations regarding the tanks, pumps, spill containment, etc.

The Board asks if there will be a sign. The applicant decides that if they wish to add a sign in the future that they will come back for an amendment. The Board asks if there is a construction schedule. As of now there is not. The site plan is the only plan that has been submitted thus far. The CEO will need to see specific construction plans when the project is ready to commence.

The Board turns to the site plan to review it using the checklist provided. The address on the drawing is very difficult to read because it is so small. The property is owned by 3G Leasing, which is owned by the applicant.

The following items need to be added to the site plan and application:

- Lighting – Location of current and proposed lighting and the type
- A large format copy of the Site Plan
- The entire parcel in the subset.
- The Broedel name and address in the information box
- Storage tanks and containment – Location, to scale
- An estimated construction schedule
- Proof of all required permits
- Proposed usage (in gallons, an estimate)

There is discussion of a fire suppression system. Signage is discussed, and the applicant will come in for an amendment if they decide to do signage in the future. Chairman Welshko states that he doubts that the Board will be able to consider this site plan complete. He explains that once the Board considers the site plan complete the clock on the application starts running on the time limit for a decision. If the Board still has questions, they need to send it back to the applicant to create a more complete site plan. The DEC will only require that the tanks are registered. There will likely be a condition that the SUP is contingent on the receipt of the other permits. The applicant states that he needs the fuel for his trucks so he may as well sell it to others as well. There will be no additional employees. Chairman Welshko asks if the Board has

any other questions at this time. The Board determines that they would like to hold off on considering the checklist complete and get a more detailed site plan for the next meeting. It is explained to the applicant that the SUP, once issued, stays with the land. If they come back for an amendment for a sign that it would not be as involved a process. The SUP process is explained to the applicant; it gives the applicant an idea of a timeline.

Chairman Welshko asks how soon they would be able to start the project. The response is that much of it will depend on how backed up the contractors are. They may not start until March or April. They do have a year to get started on their project. The applicant supposes that once they get started, it would take two to three months maximum to complete. They already have one tank, looking for another. They will also be getting used pumps; piping is really the only new material. This application will have to go for a GML 239 review because it is on a major highway. That process is explained to the applicant as well.

**Resolution 2023- 19: Motion to Approve the minutes from July 11 and July 18 meetings.**

Motion: Mary Galvez

Second: Kathleen Palmer

Vote: YES – 5 NO - 0

ADOPTED

The Board is reminded to sign their vouchers.

**Resolution 2023- 20: Motion to adjourn at 8:00 PM**

Motion: Bettyann Miller

Second: Elaine Hughes

Vote: YES – 5 NO - 0

ADOPTED

Next meeting: September 12, 2023

Materials cut off: August 31, 2023

Respectfully submitted by  
Elisa Robertson  
Deputy Clerk