

**PLANNING BOARD**  
**MINUTES FOR August 19, 2008**

**Attendance**

Howard Post, Vice Chairman, opened the meeting at 7:30. Present were- James Bruno, Tom Francello, Carole Furman, Ken Goldberg, Howard Post, and Dan Weeks (Alternate). Absent: William Creen, Ian Leaning, and Juanita Wilsey (Recording Secretary). Jeremy Kane, Town Planner recorded minutes.

**Motion for July Minutes**

A motion by Goldberg, seconded by Furman, and all in favor to accept the July 2008 Minutes with the following changes. Goldberg asked that for the phrase, “\*\*\*\*\*Upon Chairman’s review he was concerned with changing time frame to maximum, as it was not stated that way in June’s meeting, he felt it would be too restrictive, so it was not changed\*\*\*\*\*”, be removed from the July minutes. Further, the June minutes should reflect the original change requested in the July minutes for the applicant’s response to the Planning Board’s question of how long could a resident stay there. The minutes should read “maximum” instead of “time frame”.

**Old Business**

*1. William Parr- 4 lot Subdivision*

The project was addressed at 7:35. At the time the agent, Tom Conrad, was not there. The outstanding issues from the previous meeting were Private Rural Road Standards and Recreation Fees. Kane explained that Bernie Ellsworth, the Town Highway Supervisor, had confirmed that the existing road (Bill Parr Rd.) would not need to meet the standards. Kane further stated that a definitive position on the amount of the Recreation Fees still had not been established. Following further correspondence with Town Counsel, Kane will report back on the matter at next month’s meeting. Tom Conrad later presented the project following all New Business. No new information was discussed.

**New Business/Pre-Hearing Conference**

*1. Edward P. Martino III & Deborah Pestano*

Mike Vetere, III presented the project, a lot line change intended to transfer a driveway and shed on Lot 5 to Lot 6a. Vetere explained an error in the total acreage number as shown on the plan that will be corrected on the final version

SEQR- Motion by Goldberg to classify as an Unlisted Action; second by Furman; all in favor; none opposed; carried.

Finding- Motion by Bruno to act on the application according to Section 323 of the Subdivision law, with condition that final plans reflect the discussed change in acreage; second by Furman, all in favor; none opposed; carried. Final plans signed on Aug. 28, 2008.

2. *Babu and Mina Vaghasia- Site Plan, 7:45 PM*

Goldberg disclosed that the land in question had been owned by his wife's uncle. Applicant expressed no objection to Goldberg's subsequent participation.

Richard Praetorius presented the project. Vaghasia owns two-parcels on King's Highway. The proposed 68 room hotel will occupy the southern most of the two. Present property has existing house, mobile homes, and accessory buildings; the single family home occupies its own parcel. As part of project, lot line around the single family home will be removed, as an "unsubdivision". All buildings will be removed. The hotel will occupy the top of the hill. A stormwater retention facility will replace the trailers at the bottom.

Praetorius then presented design elements. A proposed grading plan was discussed. The proposed entrance will be moved 40ft north of existing driveway to a flatter area. A maximum grade of 8% will not be exceeded for new driveway. Run-off from building and parking will pass through a sand filtration system to the west of the parking lot. Building elevations for the west were shown; lowest floor has a pool, the upper two are rooms. It is not yet clear which hotel chain will operate the facility; Praetorius expects to have this clarified by the next meeting.

Water and Sewer- The intent is to hook into the projected extension of water and sewer lines along King's Highway. To do this the hotel will need to be added to the new district. Praetorius has discussed this scenario with Brinnier and Larios, P.C., the town engineers. If the King's Highway water and sewer lines are not in place in time to service the hotel, then the applicant is prepared to make connection to the village's lines along Rt. 212.

Discussion-Praetorius questioned the provision of pedestrian access. He asked for clarification of which connections could be made and suggested that small walking trail to the neighboring Mobile station was a possibility. Furman asked about the first floor elevation. Praetorius responded that the floor elevation is 221 ft and roof is 242 feet. Views from the hotel will be to mountains and the Thruway toll booth will be screened. Views to the hotel are limited; it is not visible from either Rt. 212 or Railroad Ave. Praetorius states that the location and design of directional signs to the hotel have not yet been determined. Furman asked about the location of parking in the front. Praetorius responded that the location was dictated primarily by the topography, building shape, and shape of the lot. The design also balances cut and fill and minimized blasting. Goldberg asked about the width of entry. Praetorius responded that the road would be 22ft wide, with fill on downslope.

SEQR- Goldberg asked applicant to complete the Long Form EAF. Praetorius consented. Praetorius requested a public hearing for October.

3. *Mary Spinac-Major Subdivision- 8:10 PM*

Howard Post recused himself from the proceedings.

Tom Conrad presented a 3-Lot subdivision. The Spinac house is on a 10-acre lot that will not be affected by the subdivision. Of the new parcels, Lot 1 is 31 acres, Lot 2 is 35 acres, and Lot 3 is 71.8 acres. Spinac also owns a currently landlocked lot, adjacent to Lot 3, that is intended to be sold along with Lot 3. Furman asked whether Lot 3 could be sold independent of the land locked parcel. Conrad responded that it could. Bruno asked whether Conrad was ready for a public hearing. Conrad asked for the following month.

Conrad specified that Lot 3 has an existing septic system, and asked whether the board would require Dept. of Health approval for Lots 1 & 2. The Board discussed and agreed that DOH approvals were not necessary.

Motion-Furman made a motion to waive DOH approval; Francello seconded; all were in favor; none opposed; carried.

SEQR- Goldberg made a motion to classify the project as an Unlisted Action; Furman seconded; all were in favor; none opposed; carried.

Motion- Furman made a motion to set a public hearing for September; Goldberg seconded; all were in favor; none opposed; carried. Post returned to meeting.

#### *4. Henry Zeigler, Jr.- Minor Subdivision*

Tom Conrad presented the project. The two lots will have separate road frontages. The new lot is on 9W and will be approximately 2 acres. A lot with an existing house and accessory structures will be 2.8 acres and accessed off of Patterson Road. Conrad has been in touch with NYSDOT about the access off of 9W, and expects approval. The primary issue for the curb cut will be location of an existing power pole. Conrad asked about DOH approval for the new lot. Furman asked about wetlands on the site. Conrad described culverts along the northern boundary of the lot. Furman suggested that DOH should be obtained, the Board consented. Conrad stated that he would begin application process. Bruno asked if Conrad was ready for a public hearing. Conrad asked to be scheduled for September.

Motion- Bruno made a motion to schedule a public hearing for September; Furman seconded; all were in favor; none opposed; carried

SEQR- Goldberg made a motion to classify the project as an Unlisted Action, Furman seconded; all were in favor; none opposed; carried.

#### *5. Dennis Lore- Churchland Estates- Major Subdivision*

Ken Lytle presented a plan showing the constrained lands. He described the site's wetlands and steep slopes and then explained the desired base density for the site at 116 units. There will be public and water and sewer, and affordable housing. Goldberg asked what characteristics made land constrained. Lytle responded that a majority of the site was constrained due to wetlands. Goldberg: who evaluates the constrained land map to determine its accuracy? Tom Conrad, speaking from the audience, explained that only a certified wetlands delineator could make such a map, and presumably one would be required to evaluate it. Also, there should be a report to go along with the map. Goldberg: who specifically prepared the map? Lytle: I don't know. Lytle will provide report for review. Goldberg: how is base density determined, what are the factors? Goldberg concluded that the wetland report will be necessary to determine density also. Furman asked where the central water supply would be located. Lytle indicated the high point marked on the map. Goldberg mentioned previous contamination of wells along the Thruway from de-icing chemicals. Furman asked what provisions are in place for permanent public access to the open space. Lytle responded by discussing the proposed walkway. Furman: who will maintain the public space? Kane discussed options for ownership and maintenance. The applicant had not determined how it would be maintained. Goldberg: how will the public access the open space facilities? Lytle: trailheads could be placed along town roads. Furman: in that case, parking also needs to

be shown. Goldberg noted that the 40% open space requirement should be 28 acres, and not the 21 acres as shown on the plan. Francello: that would also change usable land to 40.2 acres. Goldberg: will green space be spread out? Lytle: Yes. Tom Conrad suggested Esopus Creek Conservancy as a potential manager of dedicated open space/ Goldberg: are there a minimum number of lots that will make the project financially feasible? Lytle: Approximately 100.

The Planning Board took no action on the application and requested more information on the wetlands and site constraints.

SEQR- A motion made by Goldberg to request the Long Form EAF; Post seconded; all in the favor; none opposed; carried.

*6. Janet Parr- Peoples Road – Site Plan*

Cancelled.

**Other Business**

Tom Conrad presented maps for Kime and Timbest for final Planning Board signatures.

Kane explained the King's Highway GEIS Lead Agency request form received from the Town Board. Goldberg made a motion to consent to the Town Board's intent to act as lead agency; Furman seconded; all favor; none opposed; carried

Kane presented and discussed a draft resolution to add lot line changes to the SEQR Type II list. The Board will review and discuss at a future meeting.

The Planning Board received two signed final subdivision plans from Douglas Meyer. The Planning Board received two signed final subdivision plans from Jordan Schlanger. The Planning Board received two signed final site plan plans from Anderson School for Autism.

Received July ZBA Minutes on August 7, 2008.

Minutes taken and typed by Jeremy Kane, Town Planner.