



PLANNING BOARD MINUTES  
FOR APRIL 18, 2017

The Pledge of Allegiance.

Three public hearings were scheduled for this meeting. The public was invited to come forward to examine plans and ask questions. Howard Post, Chairman, opened the meeting at 7:31p.m. Present were Howard Post, William Creen, Daniel Ellsworth, Paul Andreassen, Kenneth Goldberg, Carole Furman and Michael Tiano. Absent was Len Bouren. James Bruno, Liaison, was present. MaryAnne Wrolsen, CAC, present. Dan Shuster, Consultant, was present.

A motion by Tiano, seconded by Creen to accept the March 2017 Minutes with amendments. All in favor, none opposed, carried.

PUBLIC HEARINGS:

1. Site Plan/Special Use Permit-Carin and Mark DeNat-Kelly Road. Plans presented by Carin DeNat and Chace. Opened public hearing at 7:35pm. Has ten acres and location map on plans. The project is surrounded by forest. Showed neighbor's home on Kelly Road and NW corner. There is a 340ft. buffer of forest on NW corner and 540ft. on Kelly Road side. Plan on having 5 events no larger than 35 people. Local teens. No comments. A motion by Creen, seconded by Furman to close hearing at 7:39pm. All in favor none opposed, carried. Shuster-there will be no building and parking lots, the special use permit is for use and in future will need a site plan for building and parking lot. A motion by Goldberg, seconded by Furman to approve the special use permit. All in favor, none opposed, carried.

2. Minor with Lot Line Revisions-Richard Rothe-Rt. 212. Plans presented by Richard Rothe. Opened public hearing at 7:40pm. Rothe not present yet and will keep hearing open. Back at 7:51pm. Rothe is adding to his parcel. New Lot on Rt. 212. Lot line to neighbor. Remaining Lot in back to Rothe. No comments. A motion by Creen, seconded by Goldberg to close public hearing at 7:53pm. All in favor, none opposed, carried. DOT will grant curb cut and Rothe will e-mail a copy for PIBd files. Lot 2 is the only Lot that needs a curb cut. Andreassen-does access have a culvert. Rothe-needs fill and removal of a section of guardrail. A motion by Andreassen, seconded by Furman to approve the minor subdivision with lot line revisions with the Condition of DOT curb cut approval. All in favor, none opposed, carried.

3. Minor-Michael Rothe-Rt. 212. Plans presented by Dan McCarthy. Opened public hearing at 7:41pm. Subdivide a 2 acre parcel. Has Deeded ROW to property. No comments. A motion by Furman, seconded by Creen to close hearing at 7:50pm. All in favor, none opposed, carried. A motion by Andreassen, seconded by Goldberg to

approve the subdivision with the Condition of evidence of a Road Maintenance Agreement. All in favor, none opposed, carried.

**OLD BUSINESS:**

1. Site Plan-Katherine Stone/Flower Tent. Plans presented by Katherine Stone. Stone is moving tent 20ft. away from building for fireworks applicant's approval. Post read an e-mail stating that another applicant will be selling fireworks for two weeks after flowers are finished. Then tent will be taken down. Shuster-does not require more approvals just inform Code Officer. UICoPIBd had "no county impact". A motion by Goldberg, seconded by Creen to approve the site plan. All in favor, none opposed, carried. Will need a building permit.

2. Site Plan-Michael Piazza/Trinity EatsLLC-Rt. 212. Plans presented by Paul Jankovitz. Bun&Burger. Needs 6 additional parking spaces. No impact to landscape or front of building. Will close off side road access to Thompson Road and add parking. Discussed UICoPIBd comments: cross easement can override as adjoining owner is not interested in the cross easement; there will only be a minimal removal of landscaping so agree on that recommendation; and can agree with the long term access in future. A motion by Goldberg, seconded by Andreassen to override the cross easement recommendation. All in favor, none opposed, carried. A motion by Goldberg, seconded by Furman to accept minimal removal of landscaping. All in favor, none opposed, carried. A motion by Goldberg, seconded by Furman to accept that in future will consider cross easement with back parcel. All in favor, none opposed, carried. A motion by Andreassen, seconded by Furman to approve the site plan. All in favor, none opposed, carried. Plans to be open in 60 days.

3. Site Plan-Glasco Apts. LLC/Jessica Poenicke-Lewoc-Glasco Turnpike. Plans presented by Khattar Elmassalemah. Submitted revised plans. Details on landscaping. Waived public hearing. There was one UICoPIBd recommendation to refer to public works because of vehicles backing onto Glasco Turnpike. Shuster-there is room to turn and get on Co. road. Andreassen-has always been used when it was a store and amended the SW corner. Khattar-yes. Shuster-guardrail purpose. Khattar-is there and just leaving alone as the Town put it there and there is a utility pole that would be hit. Shuster-if Board is comfortable can override as it is an existing Condition that does not cause any problems. A motion by Andreassen, seconded by Goldberg to override UICoPIBd recommendation to require modification to public works on bases that it already exists, that the property has been used this way for years and approves the site plan. All in favor, none opposed, carried.

4. Lot Line Revision-John Mullen-Cole Bank Road. Plans presented by Edward Cooper. Mullen Sr. owns land locked parcel of 4 acres. Mullen Jr. owns 8 acres with road frontage. Jr. is giving Sr. 4 acres to add to Sr. allowing him to have access to his back parcel. Shuster-access by a driveway. Cooper-there are mail boxes and is a legal ROW for 7 parcels. Shuster-should have status on it and is there a Road Maintenance Agreement. Cooper-Town does not maintain, Mullen does. Shuster-a Condition for a description of maintenance. Ellsworth-cannot change and have all these people sign as

they are not creating a new lot. Cooper-adding a spur to road for Sr. Shuster-it could be subdivided. Post-designate the status. Shuster-down the line can subdivide more and not know ground rules. Post-officially designated on Deeds when filed. Andreassen-is steep and will not subdivide soon. Cooper-are you requiring a Road Maintenance Agreement. Post-not at this time just official designation. Cooper-ROW written up. Ellsworth-is it wide enough for a fire truck. A motion by Goldberg, seconded by Andreassen to declare as a Type II Action. All in favor, none opposed, carried. A motion by Goldberg, seconded by Andreassen to approve the subdivision with the Condition to clarify the road maintenance on the map and the road that crosses be designated as a ROW. All in favor, none opposed, carried.

#### PRE-HEARING CONFERENCE:

1. Minor-David Giangano-Serenity Drive. Plan presented by Dan McCarthy. Revised plans and now selling lots. Lot 1 frontage. No lot line revision. No access in back wants to build on Parcel 2. Shuster-larger back piece has frontage on John Carle Road. Using Serenity for back parcel access. Could use John Carle Road but Serenity is better. House on higher area on Parcel 2. A motion by Goldberg, seconded by Furman to declare as an Unlisted Action. All in favor, none opposed, carried. A motion by Goldberg, seconded by Andreassen for a Neg Dec. All in favor, none opposed, carried. A motion by Goldberg, seconded by Furman to schedule a public hearing for May 16, 2017. All in favor, none opposed, carried.

2. Lot Line Revision-James Curry and John Zelber-Zelber Creek Road. Plans presented by Dan McCarthy. Revised plans. Has 20ft. wide ROW not 10ft wide. Lots have changed too. Delete top line so Parcel 2 absorbed into Parcel 3 goes to Zelber. Parcel 3 goes with Parcel C to Zelber too. So Parcel 1 and B and A is one Parcel. A motion by Goldberg, seconded by Andreassen to declare as a Type II Action. All in favor, none opposed, carried. A motion by Goldberg, seconded by Andreassen to grant Conditional Final approval pending signatures and all fees paid. All in favor, none opposed, carried.

3. Minor-Christopher Cafaldo-Buffalo Road. Plans presented by Dan McCarthy. One big lot. Lot 1 on road Lot 2 in back and both exist. Putting in road now keep one on road and son gets other lot. Lot 1 needs septic has well and Lot 2 needs well has septic. A motion by Goldberg, seconded by Andreassen to declare as an Unlisted Action. All in favor, none opposed, carried. A motion by Goldberg, seconded by Andreassen for a Neg Dec. All in favor, none opposed, carried. A motion by Furman, seconded by Tiano to schedule a public hearing for May 16, 2017. All in favor, none opposed, carried.

#### MISCELLANEOUS:

1. Received Zoning Board Materials.

Since there was no further business to discuss, a motion by Creen, seconded by Tiano to adjourn the meeting at 8:40pm. All in favor, none opposed, carried.

Submitted by: