

PLANNING BOARD  
MINUTES FOR FEBRUARY 16, 2010

Four public hearings were scheduled for this meeting. Howard Post, Chairman, opened the meeting at 7:33p.m. Present were, Carole Furman, Paul Andreassen, William Creen, Howard Post, Dan Weeks, Tom Francello, Ken Goldberg and Alt. Bill Hayes. Jeremy Kane, Town Planner, was present. Bruce Leighton, Liaison, was present.

A motion by Francello, seconded by Hayes to accept January 2010 Minutes. Goldberg abstained, motion carried.

**PUBLIC HEARINGS:**

1. Site Plan-Anthony Bacchi/Lazy Swan-Old Kings Hwy and Lauren Tice Road-Re-opened public hearing at 7:32p.m. Project presented by Barry Jordan. Showed blown-up maps of additional holes and parking lot with future business retail buildings. Comments: Total Tennis-in favor of project has concerns with drainage and pesticides. Jordan-has stormwater ponds and no Wells. Ponds located by main entrance for irrigation. Has clay soil so holds water, use natural contours and drains toward Thruway. Total Tennis does not want water to flow back in their culvert. Jordan-there is a big slope that slopes away from Total Tennis and flows down toward Thruway. Golf Course Manager explained pesticides management and how he uses organic fertilizers, bent grass and fungicides and he is licensed by DEC. Jordan-all sand is imported and sterilized and he has designed many golf courses are creating this golf course correctly-they explained that they are professionals. Matt Phillips-aquifer concerns and how much water annually would be used. Jordan-from the Town maps this is not in aquifer and capturing own run-off. Manager-depends on rain-maybe 125 thousand gallons if ½ in. of water over the whole course. Robert Dederick-5 acres of their property has never had pesticides ever and keep it that way, maybe an Item in Special Use Permit. Kane-intent is there but has not received a plan yet. Harry Vickory-am a farmer-affect if organic growing, concerned with pesticides and de-values the property and pesticides flow with water. Manager-has a buffer, golf course has strong turf water does not run like row crops and not in aquifer. Sam Dederick-gave out handout and Robert Dederick-no spraying and not taking trees down? Jordan-no and saving trees along course. Total Tennis-air borne from chemicals. Jordan-rarely sprays they have a broom type machine that sprays close and down on very targeted and specific areas. Sam Dederick- dispute where aquifer is, Town never tested their area for the maps, concerned with water and can they be assured that Lazy Swan be accountable for pollution of their water.

A motion by Furman, seconded by Francello to close hearing at 7:55p.m. All in favor, none opposed, carried. Discussion: Weeks-try and keep all balls, water run-off and chemicals on-site. Jordan-no berm-everything is sloped toward Thruway and to ponds. The soils are clay (D rated by DEC) no leaching. Have 24 acres out of 120 that would have some treatment. Will fence area by horses. Andreassen-if something was contaminated would you be willing to fix. Bacchi-have to ask his attorney. Koneous-test Wells. Creen-it is all clay slim to none possible contamination. Francello-all treatment will be selective to treat that one area and not massive treatment. Creen-have to be licensed and liable and keep records and reports every year and this was a golf course prior too. Goldberg-is there any way of testing for pesticide contamination on a regular basis. Manager-call Cornell Cooperative Extension maybe. Soil types and drainage was all tested during the first site plan when this all started, you had a Specialist test everything. Neighbors' Wells are around 480ft. deep. Goldberg-can you shorten the hole to the North by 15ft. for more buffer. Jordan-there is 30 to 40ft. now, shortening it would not do much. Will not cut down old oak tree on the property line. Sam Dederick-concerned with quality of drinking water, could Town void their Special Use Permit, if Wells get contaminated. Post-would have to discuss with Town Attorney and written into Resolution. Total Tennis-insist that they do not use dangerous chemicals. Creen-there is a State Law where they can and cannot use chemicals. Kane-in the process of working on their stormwater plan and will submit when complete. \*\*Dedericks rescinded hand out and all concerns with a letter on February 17, 2010\*\*

2. Major-John Cimorelli-Grand View Circle-Plans presented by John Cimorelli. Opened public hearing at 8:20p.m. Has 14 acres subdividing into 4 lots. Road continues from Grand View Circle to Brook Road. Flag lots have ROW over road with 6 lots using and 3 additional lots. Can become a public road if owners agree. Submitted stormwater map, road has been in use since 1980's. Discussed with Hwy. Dept. but has not received an answer. No comments. Al Riozzi-in favor, no comment. A motion by Furman, seconded by Andreassen to close hearing at 8:25p.m. All in favor, none opposed, carried. Discussion on road: 50ft. of road is owned by lots, is a loop and can be a Town Road if built to Town Specs if owners choose. Approval letter from Fire Co. is in Pl. Bd. files. A motion by Creen, seconded by Goldberg to refer to Town Engineer to review stormwater plan. All in favor, none opposed, carried. A motion by Creen, seconded by Francello for a Neg Dec. All in favor, none opposed, carried. A motion by Creen, seconded by Goldberg to grant Preliminary Plat approval. All in favor, none opposed, carried. Received receipt cards and Seqr.

3. Minor-Richard and Jean Hamilton-Rt. 9W and Minard Lane-Project presented by Tom Conrad. Opened public hearing at 8:33p.m. Subdividing 28 acres into a 19 acre vacant lot and an existing 9 acre lot to sell off. No comments. A motion by Francello, seconded by Furman to close hearing at 8:38p.m. All in favor, none opposed, carried. A motion by Creen, seconded by Francello for a Neg Dec. All in favor, none opposed, carried. Discussion- 3 lots use Minard Lane as an access. Knaust can use it also but does not. Needs a Road Maintenance Agreement. A motion by Creen, seconded by Goldberg to grant Preliminary Plat approval, waive submission of Final Plat and grant Conditional

Final approval pending payment of fees, owner signature and Road Maintenance Agreement. All in favor, none opposed, carried. Received receipt cards and Seqr.

4. Major-Jody Dwellings, LLC-Rt. 212-Project presented by Steve Hagopian-Opened public hearing at 8:42p.m. Subdividing 52 acres into 9 Lots. Stream flows through. Has cul-de-sac off Band Camp will serve 4 lots and can be dedicated to Town. Individual septic and Wells. Stormwater plan shows evidence that runoff will be at a lower rate than there now. Comments: Harry Vickery-wants to review maps, they need curb cuts, concerned with work happening now, wildlife, affecting neighbors' Wells and difference in property line survey. Answers: The maps can be reviewed at Building Dept.; there is now a construction curb cut and cul-de-sac will be off Band Camp further down as there will be lots off that ROW; on the wildlife there are 52 acres and no developing by stream and this is Zoned for 1 acre lots; they are just working on current house and will not cut down trees on Vickery property. On the property dispute they will have to work out between themselves. Carol Konteous-reviewed map and asked about Health Dept. approvals and stream classification. Hagopian-all 9 lots have been approved and stream is a tributary not classified. Konteous-can more questions be asked after hearing is closed. Post-can submit further questions by letter to Pl. Bd. Goldberg wanted to know if there were specific items that were not submitted that she wanted answered. Konteous-concerned with narrow streambed, floods and traffic safety. All materials can be reviewed at Building Dept. A motion by Creen, seconded by Furman to close hearing at 9:10p.m. All in favor, none opposed, carried. Discussed- has approvals from Highway Superintendent and Town Engineer now only question would be property line. Discussed Phase subdividing and if that could be a way to avoid having an affordable housing or conservation subdivision. Having them put restrictions on further subdividing. Pl. Bd. decided that they would have to come before the Board and it would be triggered then. Reviewed Ul. Co. Pl. Bd. comments-Pl. Bd. agrees with Health Dept. approval item and school bus pick up item as the bus can use the cul-de-sac to turn around in. Does not agree with the Advisory Item concerning further subdividing. A motion by Creen, seconded by Furman to accept Ul. Co. Pl. Bd. comments on Health Dept. approval and school bus pickup item. All in favor, none opposed, carried. Town Engineer approved stormwater and build road to Town Specs and Part 1 and 2 of EAF are finished. A motion by Furman, seconded by Creen for a Neg Dec. All in favor, none opposed, carried. A motion by Furman, seconded by Creen to grant Preliminary Plat approval, waive submission of Final Plat and grant Conditional Final approval pending payment of Recreation fees, owner's signature and Road Bond. All in favor, none opposed, carried. Received receipt cards.

#### OLD BUSINESS:

1. Major and Lot Line Revision-John Stowell-Rt. 32-Project presented by Chris DeChiaro-9 lots. Lead Agency has been done and has been sent to Town Eng. and Ul. Co. Pl. Bd. for review. The reserved road area for Crowne Management does not work well where located for Crowne so has wide curves around which Town Eng. like but Highway Superintendent has not commented on yet. Crowne concerned this will interfere with his extension that they need. They are entitled to an extension and this will show in the extension. Discussed Drainage District or Easement. There is a 10ft.

wide paved area that was a DOT existing curb cut and can be used for a school bus pick up. There are no laws in Town for sidewalks. It was suggested to have a wide shoulder. The layout is fine, needs to come back with stormwater plan. A motion by Post, seconded by Creen to accept all the Ul. Co. Pl. Bd. recommendations except for the sidewalk item which is not required. All in favor, none opposed, carried.

#### PRE-HEARING CONFERENCE:

1. Site Plan-Kim Matthews/KMM HomesLLC-Madison Ave.- Project presented by Tom Conrad. Privately owned mobile home park. Has 25 approved units adding the 26<sup>th</sup> Unit now. Had Health Dept. approval. Has own septic system and community Well. Needs to amend Special Use Permit. A motion by Goldberg, seconded by Furman to declare a Type II Action. All in favor, none opposed, carried. A motion by Goldberg, seconded by Furman to declare this a Type II Action. All in favor, none opposed, carried. A motion by Goldberg, seconded by Furman to waive public hearing per Section 323 and to amend the Special Use Permit for the 26<sup>th</sup> Unit with the condition of owner's signature on map. All in favor, none opposed, carried. \*\*Received signed maps on February 23, 2010\*\*
2. Minor-Mark Fiscoletti-Dussol Rd.-Project presented by Mark Fiscoletti. Has 6 acres- subdivide 3 acres to build a house. Road Easement in Deed with no restrictions. Need a copy of Deed. Easement will be passed to new lot for an access. Furman brought up NOTE on map about further subdividing. A motion by Goldberg, seconded by Furman to declare this an Unlisted Action. All in favor, none opposed, carried. A motion by Furman, seconded by Andreassen to grant sketch approval and to schedule a public hearing for March 16, 2010. All in favor, none opposed, carried. Show setback and needs Health Dept. approval so needs to have perk test.
3. Minor-Robert Madsen-Cranberry Lane-Project presented by Tom Conrad-Lot 1 has 5 acres with existing septic and Lot 2 is a vacant 11 acre lot. Access via private road, set up for a cul-de-sac, named Cranberry Lane. A motion by Goldberg, seconded by Creen to declare as an Unlisted Action. All in favor, none opposed, carried. A motion by Goldberg, seconded by Andreassen to grant sketch approval and schedule a public hearing for March 16, 2010. All in favor, none opposed, carried.
4. Lot line revision-Sallie Kreda-Rt. 32-Has 2 separate lots to Hudson River, a 73 acre piece and a piece from Martucci. Has an existing 16ft. wide ROW to river. Parcel A to be combined with Parcel C and not a separate building lot. Parcel B will be a separate lot. Lands of Ball has right to use ROW. A motion by Creen, seconded by Francello to grant sketch approval and waive public hearing per Section 323. All in favor, none opposed, carried. Discussed if Ball should know then have a hearing-no nothing changes for him. A motion by Goldberg, seconded by Francello to declare this a Type II Action. All in favor, none opposed, carried. A motion by Creen, seconded by Andreassen to grant Preliminary approval, waive submission of Final Plat and grant Conditional Final approval pending owner signature. All in favor, none opposed, carried.
5. Site Plan/Special Use Permit-John Finn-John Shultz Rd.-Project presented by Richard Rothe-build a 125 X 125sq.ft. building for an indoor horse arena and a fence for outdoor

arena. No septic facilities- for private use, no shows, etc. No additional parking needed, wants to stay within acre disturbance. Has lighting on building and manure removal. Has sediment and erosion plan and will address all comments. No permanent stables- will ride horses only. Metal sided building with inside lighting probably. Has a Well but no septic, maybe a Port-A-Potty. HITS practice place. Pond exists; drainage starts head water of Sawyerkill. A motion by Andreassen, seconded by Creen to grant sketch approval and schedule a public hearing for March 16, 2010. All in favor, none opposed, carried. A motion by Goldberg, seconded by Furman to declare an Unlisted Action. All in favor, none opposed, carried.

6. Site Plan-Woodstock Day School-Glasco Turnpike-Project presented by Greg Meola. Adding a bridging building so considered as an Amendment to Site Plan of 2004. The 2004 plan had some conditions now accommodate access, lighting. Two buildings have been torn down and this one will bridge to other level. This will house new library and media center. Received a letter from Richard Rothe stating Septic will handle 200 students and 33 staff. Needs public hearing and Co. curb cut approval and refer to Ul. Co. Pl. Bd. when complete with lighting, stormwater, building elevations, etc. Needs a stormwater plan. A motion by Creen, seconded by Furman to grant sketch approval and to schedule a public hearing for March 16, 2010. Andreassen abstained. Motion carried. A motion by Goldberg, seconded by Creen to declare an Unlisted Action. Andreassen abstained. Motion carried.

**MISCELLANEOUS:**

1. Received ZBA Minutes.
2. Mario Dimisa – received 2 signed maps.

Since there was no further business to discuss, a motion by Creen, seconded by Francello to adjourn the meeting at 10:45p.m.

Respectfully submitted:

Juanita M. Wilsey, Recording Secretary