



PLANNING BOARD MINUTES  
FOR DECEMBER 19, 2017

The Pledge of Allegiance.

Two public hearing were scheduled for this meeting and the public was invited to come forward to review the plans and ask questions. Howard Post, Chairman, opened the meeting at 7:33p.m. Present were Howard Post, Daniel Ellsworth, Kenneth Goldberg, Len Bouren, Michael Tiano, Paul Andreassen, Carole Furman and William Creen. James Bruno, Liaison, was absent. MaryAnne Wrolsen, CAC, present. Dan Shuster, Consultant, was present.

A motion by Goldberg, seconded by Andreassen to accept the November 2017 Minutes. All in favor, none opposed, carried.

**PUBLIC HEARINGS:**

1. Site Plan-Agawam Hospitality Group, LLC-Rt. 32 and Liberty Street. Plans presented by Bruce Utter. Continue public hearing at 7:35pm. Gave run down on project cabins, Inn, restaurant, art studio, horses, hiking path, etc. All on 2 parcels. Using upper 40 acres. Access off Liberty Street. Utter-one concern was traffic-having a traffic study prepared by Creighton Manning at Rt. 32, Glasco Turnpike and Liberty Street Ext. and to include the Gisiano new business. Concerns for traffic on Rt. 32 and Glasco Turnpike and Liberty Street Ext. that fire department will not be able to respond to emergency calls with traffic from ballfields, church, new business at Gisiano's building and this project. There would be a benefit to use Liberty Ext. to have another entrance and exit. Road will be tar and seal. Fire trucks will not respond to Agawam property until road is paved. Also concern was the owners on Liberty Ext. owning on westerly side of road. Utter submitted Deeds and maps (not prepared by P&C) showing no property owned on westerly side of road. Ed Martino-owns last parcel and produced a survey saying yes. Utter-will look at it. Utter-build a new road east and extend properties to new road. Rose Secreto-does not want all traffic in front of her house. Utter-three choices-extend to new road, widen existing road for both lanes and third one to connect first parcel and widen and leave rest as is. Utter-the other concerns were the ball fields as the foul line is in road and over the property line. Applicant-can rotate 90ft. to work the field in. Has not discussed with Recreation Dept but field will fit and will answer after traffic study. Marilyn Freeburg-is this in water district and the pressure problem. Utter-explained and Town wants them to join and there will be no impact on pressure as engineers are reviewing. Tiano-as a board member submitted a letter with 12 concerns. Tiano also wanted an Executive Session and Post said no cannot do. Tiano-number of cars and if Liberty St. can handle traffic and he has name of road as Maiden Lane on his deed and

wants traffic study, water main size and water pressure, cul-de-sac and if cabins or bungalows and also Gisiano's building new business. Were Seqr. contacts for agencies all notified. Utter-70 cars and that would be 35 cars counting each way as a trip-in is one and out is two. Just restaurant and cabins were in study, less than 100 cars so does not require more studies. Tiano-what about church and fields. Shuster-just for this project. Andreassen-Utter will re do traffic study. Utter-road base conforms to Town specs. Post-get traffic study done and hold public hearing open. Can put in paper and mail letters regular mail if need to. Tom Francello-submitted Condition suggestions on parking, natural gas, water pressure, fence, spruce trees for some privacy, light at intersection (blinking), etc. Special Use Permit goes with property owners if sell new owners would have to come back to PIBd if they make changes. Utter-never found Maiden Lane only on Tiano deed. Water line having 2 feeds and enough, will add Gisiano to traffic study. Shuster- if project fails can be used as approved now and if different have to come back to PIBd. Seqr. notice there was a large list. Andreassen-using Rt. 32 as an entrance is off the table. Utter-still looking into it and is a sight distance problem. Discussion on traffic lights, split traffic in and out and use both Rt. 32 and Liberty Street. Get County involved to eliminate parking by Gisiano's so fire trucks can swing out. Carmen Germollia-use Soapbox Road. Utter-all in traffic study. Ellsworth-what about York/Genesee Street and can use for another access to take traffic away from firehouse. It is a paper street only. Frank Secreto- Road is passed Rt. 32 across from Secreto's fathers house. Utter-S of Northeast Solite cannot use they do not own. Andy Murphy-said a long way for fire trucks to go if they have to go all the way around then out on Rt. 32. Rose Secreto-concerned about maintenance of her road, snow plowing, etc. so they can get to work. Utter-project will maintain. Post-will hold public hearing open and will notify regular mail/put in paper after traffic study is complete.

2. Site Plan and Special Use Permit-Douglas Weeks and Gregg Weeks-Patch Road. Plans presented by Bruce Utter. Amend special use permit for sawmill. Post-before open public hearing take informal issues. Jeff Jewett-lives across from and no issues. Mike Coughlan-has lived there 4 years out back window sees lumber 8ft high. There is saw noise, no fencing, trucks, chainsaws, mill, planers-non stop. What are his rights as a neighbor. Ron Sauer-will speak later. Shuster-address Seqr. before public hearing. Impacts are basically existing not new and make a determination if any new conditions. Goldberg-the original lot was larger and not as close to neighbors. Shuster-County comments were just for screening. Gregg Weeks-if not subdivided could put anywhere on parcel. Post-need to follow site plan code and base it upon the parcel where it would go. A motion by Goldberg, seconded by Tiano to declare as an Unlisted Action. All in favor, none opposed, carried. A motion by Goldberg, seconded by Furman for a Neg Dec for the time being. All in favor, none opposed, carried.

Opened the public hearing at 8:35pm. Utter-revise previous sawmill location – has 2 sheds, signs, sawmill hours are Monday through Saturday and not on Sunday. The chipper will run only on Thursday and Friday. Two new sheds will be built and relocate one shed by sawmill. Holly Girth, Realtor for neighbor-is residential and has to look at the eye sore – disrespectful. Post-public hearing is to express concerns. Coughlan-pictures of lumber-no fencing or protection if children wonder over plus the noise, etc. Tiano-was there screening there when you bought the parcel. Coughlan-no tress there,

cut them down. Tiano-was there screening. Coughlan-was a small mill but now bigger. Sauer-neighbor, conducts similar mill in Kingston. He was denied by Alvah Weeks a year before Weeks applied. So he moved to industrial district and respected neighbors. A negative business, not interfere with traffic but is out of character. Was approved to just mostly cut own wood on his property. There was no environmental study done and operates all weekend and scrap removal twice a year. He does not conform. Lynn Almeleh-10 years lived there in the beautiful neighborhood. Last summer was awoken by sawmill, saws and cannot garden without listening to grinding noise or relax. Zoning laws have to mean something, the rights of people need to count for something and the noise and trucks. Chris Gamet-why have sawmill there. Shuster-explained it was complicated-original approval on original parcel then put on other smaller lot when subdivided. Then in 2002 zoning allowed rural base in Residential zoning with a special use permit and granted. In 2008 revised zoning and was removed from Residential zoning, then brought to B. Dept then to our Attorney who said applicant should apply for site plan approval on new parcel. Andreassen-have a letter from Shawna Week concerned about trucks, traffic, wood waste, fire concerns, noise, times not adhered to, no fencing, decrease their property, not following conditions like hours of operation. Supports it but wants to preserve the neighborhood. Jeff Jewett-trees always falling and he uses waste for horses, recycle the plastic, good things for him. Not out of place in this environment. Chris Gamet-good neighbors and all good neighbors but makes a lot of noise but she does too and so do other neighbors but would like to see less trucks, less noise and have all be happy. Sauer-not a bad neighbor or problem with operation but his operation was denied because it was a bigger operation and he has to follow OSHA rules. There are rules and it is bigger then when approved in 2008. Give neighbors the protection. Can run business but follow rules he has not followed rules for last 15 years. Post-ok that is enough. A motion by Creen, seconded by Bouren to close hearing at 9:05pm. All in favor, none opposed, carried. Weeks-has had 2 trucks in all the years and went from small and gotten to a good size. As for noise does not work on Sunday's. Works from 8 to 5 and runs tractor and lawn mower on Sunday. But not before 7:00am and not after 5:00pm. Does not run chipper on weekends. As for fence the Loop's house is 25ft. higher and there were trees that were cut down. The scraps for sale are not covered and doing best by neighbors. Sauer-for residents protection project should be safe, keep same size and not get bigger. If gets bigger should move to Industrial zoning. Shuster-review and agree on Conditions to satisfy zoning uses and next meeting will have Conditions. Andreassen-if get bigger can you find another location. Weeks-no. Post-Shuster will prepare issues. Goldberg-this is unusual since gave approval for particular use in particular place and what kind of operation. That approved in 2002 now look and see what is different and take into account and figure what to do about it. Ellsworth-account for no punishment for success but at same time gray area of law from what heard today and look at neighbors and make less obnoxious. Gregg Weeks- were there for 13 years and then neighbor cut down the barrier that was there and now they have to put up fence. Post-public hearing is closed and Shuster will prepare the list and discuss with Utter.

3. Site Plan Water Overlay-Aristotle Moshos-York Street. Plans presented by Aristotle Moshos. Opened public hearing at 9:28pm. A few years ago was approved for a larger

building on this parcel which was never built and now plans to build a smaller cottage. Katherine Clark-is pleased with smaller size but concerned that he does not follow the approved site plan as he has other single family houses with many cars parked and using as apartments, also it was never approved. Post-that is up to the B. Dept. and yes it was approved. Katherine Clark-have concerns with the Seqr. form. Shuster-only reason he is in front of the PIBd is because he is in the waterfront overlay. Katherine Clark-Moshos does not have title to property. Post-applicant having clear title is not a PIBd concern. The drainage has been reviewed by B&Larios. Shuster-this is a Type II Action so no need for a Neg Dec. Post-this building is a forth of the size as the previous one approved. Shuster-and is just a single family cottage. Ron Blanco-has view of River and concerns are a lot of cars being parked and no clear title. Post-read attorney letter that shows there was a mistake by County. This would be a risk to Moshos and does not concern the PIBd. A motion by Bouren, seconded by Tiano to close hearing at 9:48pm. All in favor, none opposed, carried. A motion by Creen, seconded by Tiano to approve the site plan. All in favor, none opposed, carried.

#### OLD BUSINESS:

1.Site Plan-Carlton Bell-Turkey Point Drive. Plans presented by Carlton Bell. Post-we will take a few comments then poll the PIBd if they want to hold a public hearing on just the site plan for the house. Linda Trummer-Napolitano-requests a public hearing, concerns with requirements, incorrect information on site plan, wetlands. Bryanne Hamill-concerns with house with 6 car garage, not accurately located on private road, wetlands, conservation easement, building heights, inaccurate information submitted, wants a public hearing, comply with waterfront overlay, lighting, glare, remove fill, remove vehicles and material. Post-poll PIBd members. Andreassen-yes-single family house site plan if not these issues would be normal as he does have the right. Conservation allows home and accessory building on 2.5 acres. VOTE-yes for all members. A motion by Goldberg, seconded by Furman to schedule a public hearing for January 16, 2018. All in favor, none opposed, carried. Post-further questions at public hearing. Trummer-Napolitano-Conservation easement pre-exempts Zoning. Andreassen-Conservation easement between landowners. Ellsworth-between Scenic Hudson and owners not the Town. Bell-DEP reviewing all parcels and equipment can stay there until construction. There is no business on this – just a single family house with garage at a later date. There is a Zone A and Zone B of Conservation Easement and he is Zone B and can clear and do things that A (neighbor's parcels) cannot do. Wetlands are ok and has approved septic from September 2014. Bell put in culvert to drain neighbor's water on his property. Elevations-discussed and showed on plan. Has map of wetlands. Andreassen-building elevations under 4000. Bell-has not decided on building – yes and smaller garage. Andreassen-need special use permit. Bell-only because a business but just bringing business vehicle logo to his house. Bell-always a good neighbor and most are good but others not. Has light there but not used as they say or would be arrested. All material there will be used to build a home and has cleaned up site and moved the port a potty. There is no drainage easement on his property and neighbor putting water on his property. DEP said no drainage easement and no wetlands. B&Larios designed septic and has preliminary approval. Post-submit that. Shuster-need landscaping. Bell-hope to have that and lighting for next meeting. Non view across the

River. Shuster-and glare on adjacent parcels. Not putting business out there. PIBd come to visit parcel, he is not going there daily so not for business use. Shuster-have materials submitted before public hearing.

#### PRE-HEARING CONFERENCE:

1. Minor-Vincent Buono-Union Street. Plans presented by Michael Vetere III. Subdivide a half acre out of the 6 acres parcel. Existing common drive and will extend. Town owns part way but plows through as there is no where to put snow so does not need a road maintenance agreement. 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 Furman for a Neg Dec. All in favor, none opposed, carried. A motion by Goldberg, seconded by Andreassen to schedule a public hearing for January 16, 2018. All in favor, none opposed, carried.

2. Lot Line Revision-J Mullen/Leading Edge-Kings Highway. Plans presented by Bill. Swapping equal trade from a corner to a corner to relocate lot line. Shuster-the original plans did not show line. Bill-shows in revised plans and will high light the line. A flag lot. A motion by Goldberg, seconded by Bouren to declare as a Type II Action. All in favor, none opposed, carried. A motion by Goldberg, seconded by Andreassen to grant approval for the lot line revision. All in favor, none opposed, carried. Show lot line to be removed.

3. Site Plan-J Mullen/Leading Edge-Kings Highway. Plans presented by Bill. Needs to show parking, storage, landscaping, driveway all what is there and all what is new. Will be a metal building. No lighting except on structure and road will be a hard surface. Just needs a Footnote on lighting as there is no lighting except on building. Post-do a cut sheet of lighting. Shuster-shielded lighting. Andreassen-show elevations. A motion by Goldberg, seconded by Andreassen to refer to the UICoPIBd. All in favor, none opposed, carried.

4. Site Plan-Sophiedrew Acres, LLC/Bach/Ferraro-Glasco Turnpike. Plans presented by Bruce Utter. Has 14 acres (old pumpkin farm). Has 2 existing buildings, garage and 2 bedroom apartment. Build another 2 bedroom apartment. Gravel drive. This had a 54 parcel subdivision approval never developed. A Town maintained road. Is flat and has a pond and wetlands. Man-made ponds – no others on parcel. Had a lot line application before. Purposed project will be a 100 x 250 indoor horse arena and a 100 x 250 outdoor arena on NW end with approved sand base. Cars and trucks will access by Mary's Street. Horse trailers use gravel road and close off one lane gravel road on other end. Road loops around. Has 31 parking spaces. Will have 30 paddocks and 4 sheds. Manure storage and concrete with dumpsters and mixed with shavings. Storage feed is 40 x 60. Show lighting, etc. Will be open year round and will board some horses. Needs 50ft setback and where putting building exists and can they use the existing structures. Shuster-will review that to see. Furman-will there be shows and enough parking as there will be no parking on road. Utter-yes and there is enough parking spaces. A motion by Post, seconded by Goldberg for Town Planning Board have the intent for Lead Agency. All in favor, none opposed, carried. When ready needs to have a public hearing and

referral to the UICoPIBd. Andreassen-check on building setbacks as building 2 houses with each having 2 bedrooms. Need to know number of events.

5. Minor-Barbara Kaisik Family Trust-North Woods Road. Plans presented by Thomas Conrad. Two parcels with house on each parcel. Lot 1 is 2.48 acres and remaining is 9 acres with original house. Existing accesses. Both have septic. Shuster-show septic on Lot 1. 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 Goldberg, seconded by Creen to schedule a public hearing for January 16, 2018. All in favor, none opposed, carried.

#### MISCELLANEOUS:

1. Post-thanked Paul Andreassen both personally and on behalf of the PI Bd members for being a valuable member and will know he will be a valuable member of the Town Board.
2. Received Zoning Board Materials.

Since there was no further business to discuss, a motion by Creen, seconded by Tiano to adjourn the meeting at 11:10pm. All in favor, none opposed, carried.

Submitted by: