



PLANNING BOARD MINUTES

January 21, 2020

Howard Post, Chairman, opened the meeting at 7:30 p.m.
Pledge of Allegiance.

Present: Howard Post, William Creen, Ken Goldberg, Carole Furman, Mike Tiano and Daniel Ellsworth
Absent: Dan Shuster (Town Planner), Len Bouren and Robert Hlavaty (alternate)

Review of December 17, 2019 draft minutes. A motion was made by Furman, seconded by Creen, to accept the minutes as written. All in favor, none opposed, carried. Goldberg abstained.

PUBLIC HEARING(S):

1. Site Plan, Kiniry West, LLC/Kim Kiniry, 1752 Route 212. Post-This application has been withdrawn at this time, by the applicant. No public hearing will be held.

2. Major Subdivision, Kendall & Lisa Stanley, 4164 Route 32. The public hearing opened at 7:31pm. Post-anyone present for this public hearing? Any questions/comments? No one present. A motion was made by Furman, seconded by Tiano, to close the public hearing. All in favor, none opposed, carried. The public hearing was closed at 7:32pm. Presented by Tom Conrad, Praetorius & Conrad, P.C. The applicant would like to create a 3-lot subdivision, creating a 1-acre parcel w/existing block building (Parcel 1), a 3.6-acre parcel with an existing barn (Parcel 2) and a 9.5-acre lot with an existing house and outbuildings (Parcel 3).

A motion was made by Ellsworth, seconded by Creen, to approve the 3-lot Major Subdivision as proposed. All in favor, none opposed, carried.

OLD BUSINESS:

1. Site Plan/SUP, Autocamp/Family Real Property Holdings, LLC, 882 Route 212. Ellsworth recused himself. Presented by Bruce Utter, Praetorius & Conrad, P.C. A resolution was created and submitted by Victoria Polidoro, Esq. on behalf of Autocamp. The Planning Board and Dan Shuster received a copy for review prior to the meeting and a copy was submitted to George Redder, Planning Board Attorney, for review. Goldberg-"quiet hours" were mentioned and discussed at the last meeting but are not noted on the resolution? Utter-they are noted on the site plan. Goldberg-it was decided that events are only to be hosted by patrons/guests of the campground. Polidoro-can be added to the resolution. A motion was made by Goldberg, seconded by Furman, to amend the resolution to include condition #6-Special Events are limited to guests of the campground. All in favor, none opposed, carried. A motion was made by Goldberg, seconded by Tiano, to approve the resolution as amended. All in favor, none opposed, carried.

2. Site Plan/SUP, Porter & Sara Fox, 252 Charles Hommel Road. Presented by the owner, Porter Fox. The Road Maintenance Agreement has been created, signed and notarized as suggested by George Redder, Planning Board attorney. A copy was submitted for the file. A list of written comments was received from neighbors, Kate Stickley/Richard Lasansky of 402 Manorville Road. Post read them out loud. They were as follows:

- This site plan is for parcel with SBL#8.3-1-2, can the applicant file for an additional site plan of up to 4 container units on parcel with SBL#8.3-1-3.100, that they also own? Post-yes, they will have to go through the site plan process again for the separate parcel.
- Are there any structures on the adjacent parcel with SBL#8.3-1-3.100? Fox-no, we have stored items on there but no actual structures. There is an abandoned house on an adjacent parcel that looks like it is on that parcel, but it is not.
- Lucas Kill Stream impact. Fox-the Lucas Kill cuts through a small section of the property in the corner but the stream that runs through the parcel is an unclassified stream that feeds back into the Lucas Kill.

Goldberg-there is reference of a caretaker, are they available 24 hours a day when someone is renting a container unit? Fox-yes, we use a couple of different individuals in the area to ensure that someone is always available, if we are not. Their info is given to the renters when they check-in. Goldberg-would like to add that as a condition to the resolution that there must always be a caretaker on-call. Post-would like to add the condition that the "Special Use Permit" be reviewed in 1-year. A motion was made by Goldberg, seconded by Ellsworth, to approve the Site Plan and Special Use Permit with the aforementioned conditions to be included in the resolution. All in favor, none opposed, carried.

3. Site Plan Amendment, Kiniry West, LLC/Kim Kiniry, 1740 Route 212. Presented by Kimberly Snyder from North Engineers. The applicant would like to amend a previously approved site plan from 2017. The area of disturbance will be increased from 0.98 -acres to 2.3 acres. A SWPPP was provided and submitted to the Town Engineer for review, comments have not been received to date. A letter was submitted from the lawyer of neighbors, Heather Hutchinson & Mark Kanter. This letter addressed the concern that a public hearing should be held since one was not held for the original site plan that was approved previously. It also addressed concerns regarding the increase in site disturbance and the environmental impact. Snyder-a significant part of the impact is a result of a DEC culvert that flows on to the site via a culvert under Route 212. Ellsworth-main concern is the increase in site disturbance and effects on the land. Has the DEC been notified? Snyder-we have not notified the DEC during the amendment process and can not speak to what was done on the original approved site plan. Furman-believe that due to the increase in site disturbance a public hearing should be held. A motion was made by Furman, seconded by Ellsworth, to schedule the public hearing for the February 18, 2020 Planning Board meeting. All in favor, none opposed, carried.

PRE-HEARING CONFERENCE:

NONE

ADDITIONAL BUSINESS:

1. A request was received from Barry Medenbach, P.E. of Medenbach and Eggers requesting a 90-day extension for two approved lot line revisions, they are as follows:
 - Lot Line Revision, Ostrander/Swart, 15 Railroad Avenue, approved July 16, 2019
 - Lot Line Revision, Ostrander/Ruby, 5 Railroad Avenue, approved July 16, 2019

A motion was made by Creen, seconded by Goldberg, to approve the 90-day extension. All in favor, none opposed, carried.

2. Ellsworth suggested that we have the Planning Board attorney, George Redder, develop a sample "Road Maintenance Agreement" that we give to applicants that may need to develop one as part of their application process. A motion was made by Ellsworth, seconded by Furman, to request a sample Road Maintenance Agreement be created by the Planning Board Attorney, George Redder. All in favor, none opposed, carried.

ADJOURNMENT:

Since there was no further business to discuss, a motion by Tiano, seconded by Furman, to adjourn the meeting at 8:13pm. All in favor, none opposed, carried.

Respectfully Submitted by,

Becky Bertorelli
Planning Board Secretary