

PLANNING BOARD  
MINUTES FOR JUNE 15, 2010

Three public hearings were scheduled for this meeting. Howard Post, Chairman, opened the meeting at 7:29p.m. Present were, Paul Andreassen, Ken Goldberg, Howard Post, Dan Weeks, Tom Francello, William Creen and Alt. Bill Hayes. Absent: Carole Furman. Jeremy Kane, Town Planner, was present. Bruce Leighton, Liaison, absent.

A motion by Francello, seconded by Andreassen to accept May 2010 Minutes. Motion carried. Goldberg abstained.

**PUBLIC HEARINGS:**

1. Minor-KMM Homes LLC / Kim Matthews-Madison Avenue-Maps presented by Thomas Conrad. Opened public hearing at 8:26p.m. Subdividing a 2.2 acre lot out of large piece from mobile home park. There are 4 other lots not built out. There is a 6 acre minimum lot size for a mobile home park and they have 20 acres. Can further subdivide in future -a 2 acre lot and a 4 acre lot but in different Zones. No comments. A motion by Creen, seconded by Andreassen to close hearing at 8:30p.m. All in favor, none opposed, carried. A motion by Goldberg, seconded by Creen to declare this an Unlisted Action. All in favor, none opposed, carried. A motion by Creen, seconded by Goldberg for a Neg Dec. All in favor, none opposed, carried. A motion by Goldberg, seconded by Creen to grant Preliminary approval, waive submission of Final Plat and grant Conditional Final approval pending fees paid, signatures and Road Maintenance Agreement. All in favor, none opposed, carried. Received receipt cards and Seqr.
  
2. Site Plan-Bevehrcort, LLC / Wayne Corts-Washington Avenue Ext.-Plans presented by John Fuller, P.E. Opened public hearing at 7:35p.m. Refurnish medical building as an Inn. Set up as 4 quadrant suites with 7 to 8 boarding rooms during horse shows or all year if they can. Not renting as single rooms. Need to landscape, maintenance outside but mostly interior renovations with added sprinkler system. No comments. A motion by Creen, seconded by Weeks to close at 7:40p.m. All in favor, none opposed, carried. Discussion: Weeks-street plantings and sidewalks. No sidewalk regulations but should leave room for future. The plantings set back to leave room. Add street trees. Kane-provide a path towards Hits area. Water hydrant, sign and plantings are 20+ft. back now. Needs to update Village Water in writing for PIBd file, they are tapped in now but need larger pipe. Has enough parking spaces, not changing lighting of parking lot or building. Park horse trailer in rear. No living in RVs if parked in rear. Underground utilities. One maintenance person in building all year. Yearly renewal for site plan. A motion by

Goldberg, seconded by Creen to declare and Unlisted Action. All in favor, none opposed, carried. A motion by Creen, seconded by Goldberg for a Neg Dec. All in favor, none opposed, carried. A motion by Weeks, seconded by Andreassen to grant Conditional Final approval pending the following 5 Conditions: plant shade trees, maintenance person staying in building, parking in rear but no living in parked RVs, letter from Village Water Dept. and state time when in operation. All in favor, none opposed, carried. Received receipt cards and Seqr.

3. Minor-Mark Fiscalletti-Dussol Road-Plans presented by Michael Vetere. Opened public hearing at 8:05P.M. Has a 3.1 acre lot with existing house and a vacant lot with a 15ft. ROW and additional 35ft. for future usage. Suitable for septic. Comments: Douglas Tyan-neighbor with concern on access. In some places only 12ft. wide and cannot widen due to Thruway fence, poles and embankment. Two cars cannot pass and if met one has to back up a ¼ mile and there is a bad blind curve. Tyan says he maintains and is not going to maintain on his own for more cars. Against using ROW, they can access through their own lot. Vetere-applicant has a right to use the ROW. Discussion: Needs a Road Maintenance Agreement. Build 15ft. turn out to solve the passing problem. Move driveway entrance and then a turn off on Lot 1, allowing 2 places for passing. PIBd cannot deny he has a right to use ROW. Fiscalletti-will not build turn out until Lot is sold. Another option is if Tyan buys the Lot this would be a lot line revision and would have no access problem. Both discussed the wet area by turn. A motion by Andreassen, seconded by Goldberg to re-submit plans and leave this public hearing open until July 2010. All in favor, none opposed, carried. Rec'd receipt cards.

#### OLD BUSINESS:

1. South Peak / Rt. 212 Development –Plans presented by Nancy Clark – PI Bd gave Conditional final approval to 23 lots and DEC approved 18 lots. DEC changed regulations and applicant received credit for infiltration. They reduced pond sizes and can now add 4 lots that were lost from DEC - Lots 13, 14, 18 and 20. No other changes to Conditions. Applicant asking for another 6 month extension-present extension expires in Aug. 2010 so this extension would expire in Feb. 2011 as the Health Dept. is reviewing the new plans. A motion by Creen, seconded by Goldberg to extend Conditional Final approval until Feb. 2011. All in favor, none opposed, carried. Creen-they started with 26 lots, now 22 lots so subdivision has gotten smaller.

2. Major-John Stowell-Rt. 32S- Cancelled.

3. Site Plan-Jesse and Amy DiCesare-Old Rt. 32-Project presented by Jesse DiCesare. Discussed UCPB comments on lighting and septic. There will be no additional usage of septic and would like to use half shields on lights. A motion by Creen, seconded by Weeks to disregard the UCPB recommendations on septic and to allow half shields on lighting. All in favor, none opposed, carried. A motion by Creen, seconded by Francello to grant Final approval on the site plan. All in favor, none opposed, carried. Received 2 signed site plans.

PRE-HEARING CONFERENCE:

1. Special Use Permit-Lee and Ellen Kalish / Ravensbeard Wildlife Center-Turkey Point. Plans presented by Ellen Kalish. For 10 years has had this rehabilitation center for birds of prey. They get birds after a vet visit and then release them into the wild. Have released young from the house. Is registered and charge for services. Licensed with DEC and has many other permits. No mammals. Has flight cages. No traffic just when people drop off birds. Birds are not on display. Does have a 2 week summer program to educate one group of children ages 7 thru 14 yrs. There is a fee for camp. Kane-this would be agricultural and the camp can be dealt with through this application. Primary is Agricultural services and Secondary is day camp. All funds go to business. Discussion on Road: Seems to be a State road on access and part private. There was a complaint by neighbor on traffic. The road is the issue not the business. Has Road Maintenance Agreement with State and Kalish. There are 11 properties that share the road. Animals kept outside, has regulations for distances off roads, etc. Also they have a Quit Claim Deed on property North of them. Last known owner was in 1909. They are in process of researching title. Kalish has paid taxes since 1998, discussed lot line revision. Received new plans, Deed and informational letter at meeting. Discussed home occupation but that is for business inside the house. Plans look fine, solve traffic problem. Schedule a hearing and Kane and Building Inspector can discuss. Neighbor was present whom they have had discussions with for 2 years who just want to resolve the road issue. There seems to be 2 road agreements. Kalish will supply copies to Pl.Bd. A motion by Andreassen, seconded by Creen to schedule a public hearing for July 20, 2010. All in favor, none opposed, carried.

MISCELLANEOUS:

1. Discussed office policies. Post wants to go back to Workshops -need documentation on meetings outside the monthly meeting. Also Members were informed NOT to call Attorneys or consultants directly themselves BUT to contact Post first.
2. Win One for Jesus-there was a meeting this afternoon with Town Attorney, Post, Kane, etc. with reference to Updating the Special Use Permit and decided on a 31 day completion of all work to meet site plan conditions. A motion by Creen, seconded by Goldberg to agree with a 31 day completion of all work to meet site plan conditions. All in favor, none opposed, carried. Francello was recused from this discussion.
3. Received ZBA Minutes.

Since there was no further business to discuss, a motion by Creen, seconded by Goldberg to adjourn the meeting at 9:20p.m. All in favor, none opposed, carried.

Respectfully submitted:

Juanita M. Wilsey, Recording Secretary