



## PLANNING BOARD MINUTES FOR MARCH 19, 2013

Two public hearings were scheduled for this meeting and the public was invited to come forward to examine maps and ask questions. Howard Post, Chairman, opened the meeting at 7:30p.m. Present were Howard Post, William Hayes, Dan Weeks, Carole Furman, Ken Goldberg, Paul Andreassen, Michael Tiano and William Creen. Bruce Leighton, Liaison, absent. Dan Shuster, Consultant, present. Josh Randal, CAC, absent.

A motion by Goldberg, seconded by Tiano to accept the February 19, 2013 Minutes. Motion carried. Creen abstained.

### PUBLIC HEARINGS:

1. Minor-Daniel Heppner-Rt.9W. Opened public hearing at 7:33p.m. Plans presented by Bruce Utter. Subdivide 5 ½ acres into two parcels. A house on each lot with own separate Wells. One driveway. Will show on the map the 16ft. wide ROW for back lot. Comments: Matthew Pearson, neighbor, just here to review. A motion by Furman, seconded by Tiano to close hearing at 7:40p.m. All in favor, none opposed, carried. A motion by Goldberg, seconded by Creen to grant Preliminary Plat approval, waive Final Plat and grant Conditional Final approval pending signatures and all fees paid. All in favor, none opposed, carried. Received receipt cards.

2. Minor-Thomas Sperl-MaryAnn Ave. and Van Buskirk Road. Opened public hearing at 7:44p.m. Plans presented by Bruce Utter. Two more lots from Glacier subdivision. Subdivide the lot into a 21 acre and a 31 acre. Has ROW to existing lot. Lot 1 has Stormwater Pond. Shows Flood Plain on plans. Comments: Michelle Brako-Numsen-what is the purpose for the subdivision. Utter-has a buyer for the front lot. Numsen-concerned with wet around Plattekill Preserve and would like to keep original intent of subdivision and put same deed restrictions. Has original Seqr. and should follow as it says no buildable lot to be built on. Concerned that more lots will continue to be subdivided. Utter-not sure if that is latest Seqr. as it has been revised and the subdivision lots were changed. Now building a single family and needs a site plan approval and build 300ft. from stream. The lower area is wet and building further up. Post-they are here now for subdivision and they cannot build until site plan approval. Shuster-what about stormwater management. Utter-can make a stormwater district or an easement or deed covenant; and their option is to create the deed covenant. The covenant will be a NOTE on the plans. PIBd should get statement of covenant. A motion by Furman, seconded by Tiano to close hearing at 7:55p.m. All in favor, none opposed, carried. Post-write up NOTE to describe intent of maintenance of stormwater pond for PIBd to review and PIBd will look at old subdivision Seqr. Hayes-if walk away still required to maintain stormwater pond – yes – will look ask Town Attorney. Shuster-has talked to the Town Attorney and has not heard back yet. Utter explained Zone X-will flood one foot or less. Zone A-100 year flood plain. Discussion on Lot 1

flood problematic with building. Has around 4 acres and can build in flood plan but not in flood way. Weeks-suggestion-can cut off a piece and use for subdivisions recreation. Shuster-PI Bd has 62 days to take action. Received receipt cards.

#### OLD BUSINESS:

1. Site Plan and Special Use Permit - Michael Persico / John Hommel – Rt. 32N- Plans presented by John Hommel. Discussion of DOT e-mail to close Northern access as DOT wants a single access and to use Southern access only. Using Southern access would be difficult and since 2007 the Northern access is used by the three lot subdivision in the back of this parcel. Applicant will discuss with DOT to resolve the matter. Weeks-this seems to be a two business lot so the two accesses would be necessary. Needs resolution for DOT approval and if letter stands then will need modification to site plan as to how this site plan will function. Needs a planting schedule. 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 for a Neg Dec. All in favor, none opposed, carried. A motion by Andreassen, seconded by Weeks to grant Conditional Final approval pending signature blocks with signatures, Zoning Block, Resolution with DOT access, landscaping planting schedule and all fees paid. All in favor, none opposed, carried. NOTE is on plans for no maintenance of vehicles. PIBd agrees with all UICoPIBd comments except for #6 with reference to stonewalls. There will be landscaping in place of stonewalls which are not historical. Lighting will be on building. A motion by Post, seconded by Furman to comply with UICoPIBd recommendations except for #6 with reference to stonewall. All in favor, none opposed, carried.

2. Lot Line Revision-Rex and Kathleen Kiniry-Spaulling Lane. Plans presented by Bruce Utter. Discussion on road reservation. PIBd requested reservation for future subdivision developments. Applicant is here to gain relief from this reservation. Post-if the road becomes a Town Road then this should be done. Utter-applicant not agreeable to reservation as he wants to control road. Does not plan on widening the road and will not exceed ten lots. Shuster-this is what future planning is to allow a second connection so there will be two outlets for that subdivision. Utter-road cannot make Town Specs. Utter-last month's Minutes were approve tonight which requested the reservation. Post-there is not enough room on the parcel for reservation. Utter-some people like living on a Dead End road for privacy. Andreassen-the neighbors can get together and decide for a reservation for future subdivisions. Shuster-as a PIBd you have the right to ask for a road reservation for future development. Decided to place a NOTE on plans if in future wants to dedicate road to the Town would need a 50ft road reservation for a connecting road for future developments. A motion by Weeks, seconded by Andreassen to require a 50ft. connecting road reservation if owner offers road to Town. All in favor, none opposed, carried.

#### PRE-HEARING CONFERENCE:

1. Minor-Gail Carlock-Old Kings Highway. Plans presented by Michael Vetere. Subdividing 17 acres into a 2.7 acre lot off Old Kings Highway and a 14 acre lot off Old Kings and Kings Highway. Needs curb cut approval. Smaller lot is in water overlay and meets double acreage-this lot will be sold. The larger lot is an active campground.

Both have septic and would need Co. Health approval if residential use. Both lots served by existing driveway. Weeks-discussion on restrictions on water overlay and flood insurance so cannot end up with a trailer there. Would be a buildable lot. Vetere-since it is a campground the County reviews then if a residential parcel would need septic approval. 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 to grant a Neg Dec. All in favor, none opposed, carried. A motion by Andreassen, seconded by Creen to schedule a public hearing for April 16, 2013. All in favor, none opposed, carried.

2. Lot Line Revision-Dr. John Addrizzo-School House Road. Plans presented by Bruce Utter. This was approved in 2006 as a lot line revision for the upper piece. Now owner wants to revise and that area is not included. Adding an access. Line revision is by woods road now. Plan needs to show lot line to be deleted. Submit the updated plans for April 16, 2013 meeting.

3. Minor-James LoDolce-River Road. Plans presented by Bruce Utter. Have two houses on one parcel. Wants to subdivide leaving a house on each lot. No new construction will be proposed. 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 to grant a Neg Dec. All in favor, none opposed, carried. A motion by Andreassen, seconded by Creen to schedule a public hearing for April 16, 2013. All in favor, none opposed, carried.

4. Site Plan-Derek Winnie-Rt. 32S. Plans presented by Bruce Utter. Wants to add another storage unit. Received approval to build existing units in 2004. Now with the new zoning law it is not permitted and cannot expand. Needs a zoning use variance from the ZBA. There is an existing application on hold with the PIBd to build a parking lot at this same location. Need a withdrawal letter for that application. Post-if Mr. Winnie completes all prior site plan recommendations and the ZBA give a use variance, the PIBd will review. This is a non-conforming use. Utter-Is there a grandfathered-in list of businesses in 2008 when zoning law was changed. Post-no not then just in 1989 when zoning changed. Will forward a letter to Building Inspector to start the ZBA process.

#### MISCELLANEOUS:

1. Received Zoning Board Materials.

Since there was no further business to discuss, a motion by Goldberg, seconded by Creen to adjourn the meeting at 9:15p.m. All in favor, none opposed, carried.

Respectfully submitted,

Juanita M. Wilsey,  
Recording Secretary