

“Minutes are not official until approved by their respective board.”

## TOWN OF FALLSBURG PLANNING BOARD MEETING

March 10th, 2016

Irv Newmark, Chairman, Balsey Louckes, Maria Zeno, Ron Singer, Planning Board Members, Gary Tavormina, Planning Board Alternate, Gregg Pitula, Code Enforcement Officer, Robert Geneslaw, Town Attorney, Paula E Kay, Deputy Town Attorney, Will Illing, Town Engineer

- Irv Newmark called the meeting to order at 7:01PM.

### PUBLIC HEARING:

1. TIMBER RIDGE – SBL# 28-1-1/27-1-11/27-1-12.6
  - Was not heard, need proof of ownership before PH can be heard.
2. SULLIVAN FABRICATION – SBL# 62-1-20.1
  - Joe Pfau represented.
  - Joe Pfau: I represent Mr. Resnick. People may recognize this property. It is on the corner of Glen Wild and Old Glen Wild. It's the old abandoned egg farm. These are the existing buildings. What we're proposing to do is change of us. We're not adding any buildings, changing, taking anything down. The existing gravel road will be resurfaced so we can get trucks around the facility. It will be a metal fabrication and storage. 2 of the buildings will be metal fabrication, and the rest will be storage. Mr. Resnick is expanding his business, he will be fabricating and putting together shelving and refrigeration systems for grocery stores. We anticipate 20 to 30 employees in this facility. As far as truck traffic, there will be trucks in and out. 1 or maybe 2 day. At least 1 a day. That's pretty much it. You won't see anything from the outside. We are going to refurbish the loading areas in the rear. We are going to utilize the existing main entrance off of Glen Wild. There will be no processing, no air emissions. Nothing done outside, no noise issues. Everything is within the building. What we're hoping is you won't notice anything different except maybe a coat of paint on the building.
  - Vinny Percelli: You're doing the same thing he is doing over there?
  - Joe Pfau: Yes.
  - Vinny Percelli: I have no issues.

- MaryAnn Halcheck: How many employees?
- Joe Pfau: 20 to 30.
- Meryl Gavland: I have pretty much the same thing to say as this gentleman. Everything he touches he makes better looking
- AJ Pantel: Not to repeat anything but I think this is a great adaptation for the property and the new jobs will help out.
- Irv Newmark: Anyone else on this? Public closed.

3. BLUESTONE ESTATES – SBL# 61-1-10.1/10.2/10.3/11.1/11.2/14.2/15

- Joe Pfau represented.
- Joe Pfau: This piece of property is on Avon Lodge Road, it's on the easterly side. It has 170 acres. If you are familiar with the area, there is a white fence along the roadway along this area here. There is existing house in this area. There is also a large house up this driveway. What we plan to do is to create 28 3 acre single family building lots. There also will be a common area with a clubhouse, pool area, and playground area and walking paths that will take all these individual lots with walkways so you can get to this open space area. We conform with all zoning, all of the lots will be serviced by individual wells and septic, we did all of our soil testing. There is rock in the area, but we laid out the area in the proper locations with that in regard. A secondary access for the second roadway off Avon Lodge will be in the same location as the driveway that goes to the treatment plant for Davos. That's this area here. It's going to be 2 cul-de-sacs. There will be private roads so we will form an HOA. The burden on the town as far as maintenance and roadways. This is going to the NY state DOH for review. We are here for preliminary approval, then we go to them to review our soil testing. We will do well testing with them, once we get their approval we come back for final approval. That's pretty much it.
- Paula E Kay: Before we hear from the public, looking at your mailings, did you only give us back what was picked up?
- Joe Pfau: Yes.
- Paula E Kay: How do we know everything that was mailed out?
- Joe Pfau: That should be in there.
- Paula E Kay: This is what I have.
- Joe Pfau: They didn't come back
- Paula E Kay: Okay but I need that.
- Irv Newmark: Anyone from the public?
- Bob Steingart: I've been in this place for 35 years. Over the last couple years we have been devastated. You can check with the police department how many times we call up. We had water collecting from the Neversink River, overflowing the whole area. We call police to take us out from there, from that place. You can check the records, because that river goes all the way up there. I am really concerned about the construction, maybe people aren't aware what is happening. This is a brand new house. This is no property here, so probably this was meant for a house over here. This person just bought this property. Now

they are going to make a road over here. All of this activity will be right behind these people. I am over here, the property on the Neversink river, this property over here, we had water coming from all over, everything was in water. You can check how many times we called the police. There was a lot of water, this was flooded. You could have a boat. If you are proposing a septic tank, how are you going to solve that?

- Joe Pfau: We are aware there is a 100 year flood plain on this property. It is labeled, this line here. This was something mentioned by staff early on. All of our houses and septic setbacks, as well as the wells, this property goes uphill here and here. All of your property and all these houses are in the 100 year flood plain, all of this area is the 100 year.
- Bob Steingart: This area was flooded, you can see all the trees, there's no road. There is always water. When the water is coming from here, it is flooded. When it is flooded, it is coming over here.
- Joe Pfau: It exists in the 100 year flood plain.
- Bob Steingart: You can check with the police, there was a flood. They told us not to move, all of this was flooded. This entire street was flooded. The river is feeding city water. You won't be able to drain all this water, it is impossible. This proposed clubhouse, playground, are right in the back of these people over here. It's not fair, all the noise. They just got finished building this brand new house.
- Irv Newmark: We have made notes of your comments.
- Brian Manown: Is this a conventional subdivision?
- Joe Pfau: Yes it is, 3 acre lots.
- Brian Manown: It's not a cluster?
- Joe Pfau: It is not. We came in earlier to propose the cluster and the board did not want to.
- Brian Manown: That's why the streets are public?
- Joe Pfau: No they are private, but there are still 50 foot right of ways and everything still meets the 3 acre zone. The roadways will be privately owned and maintained.
- Brian Manown: Will it be gated?
- Joe Pfau: I don't know.
- Brian Manown: It could be.
- Joe Pfau: Yes.
- Jenn Percelli: What is the name of the person doing this?
- Joe Pfau: The record owner applicant is an LLC, it is Bluestone Estates LLC. They are the people that own it.
- Paula E Kay: You can tell us the name of the principal owner.
- Joe Pfau: Off the top of my head I don't know.
- Jenn Percelli: Is it segregated or open to anybody?
- Joe Pfau: It is open to anyone, but it's going to be a summer community. That's the anticipation.
- Jenn Percelli: Only summer residents?
- Joe Pfau: Everything is being designed for year round but it is anticipated that

they will be looking sales for people looking for summer homes.

- Ben Lenard: You said each of those are going to have their own well?
- Joe Pfau: Yes.
- Ben Lenard: How many wells?
- Joe Pfau: 26.
- Ben Lenard: How deep do you have to dig?
- Joe Pfau: I believe the existing are 250 to 300 feet. When we get preliminary approval, we got to the state Health Department, they will have us drill 3 additional wells and they will tell us where. We will be 24 hour well tests on those wells. That's the anticipated well depth.
- Ben Lenard: All of those wells being in the same area are going to be in the same aquifer. Will that affect any neighbors?
- Joe Pfau: That's why the testing will be done. For 170 acres, 28 houses, that density taking water out of the ground is very low.
- Kevin Walter: Now that you mention wells and the number of them and the aquifer, you have a major business across the river over there, called Gipper Egg, they use a lot of water. I don't know what aquifer they use.
- Joe Pfau: This is part of the property too, this is all in the flood plain, we've been told this area here is a large aquifer.
- Irv Newmark: Anyone else?
- Kevin Walter: Who told you about the aquifer?
- Joe Pfau: And LGB hydrogeologist that we work with.
- AJ Pantel: I just want to add, just so everyone knows the whole story. They are 3 acre individual homes that will be added to the tax roll at 100% assessment I hope. I don't know for a fact, but the town needs the taxable properties. Number 2, there is an existing municipal well there already that is far more capable of pulling up water. What Joe is saying is the amount of water these houses will draw up by tapping into that aquifer is miniscule and will have no effect. In reference to the 2 major floods this gentleman brought up, he's certainly right, but since that time New York City had enough pressure put on them to use the Neversink dam as a flood control dam than solely as a water supply dam for the city of New York. I think they are far more in tune to the floods. They had the dam at 100% capacity when those 2 hurricanes hit. Now they are working with the county to control the water and minimize the flow.
- Winnie Forsch: I have a question. Single family homes, 3 acre lots, I understand that. Private roads, possible gate, common area. Are we talking condos?
- Joe Pfau: No single family homes. Everybody has simple 3 acre lots. Each of the lot owners will have 3 acres planned.
- Winnie Forsch: So simple?
- Joe Pfau: Yes.
- Karen Lewis: How many bedrooms in each house?
- Joe Pfau: The septic system are designed for 4 bedrooms houses. That doesn't mean they would be, they could be 2 or 3 bedrooms.
- Karen Lewis: Could they be added onto?
- Joe Pfau: If you went through the Building Department and show the septic

system is adequate I'm sure you could.

- Bob Steinbrenner: 1 story?
- Joe Pfau: 2 story. The ranches are 2 story.
- Jenn Percelli: Religious buildings? On the tax rolls?
- Joe Pfau: It absolutely going on the tax roll. No question.
- Robert Weis: I wanted to mention, we just walked in, you mentioned septic tank changes. You tally that, you put all the hazardous contaminations, you recognize that could be an issue? Contaminated water.
- Joe Pfau: Absolutely, the septic systems are designed.
- Robert Weis: Environmentally we are all nuclear. Okay. The last thing left to say, there is a road being proposed, one in between my father's property and a property next door. This spot is theirs, I believe this is going to be an issue in terms of children at play. There is an existing community over here. There is another existing community, that community has children. They do wander off. That is something to take into consideration. This is a rural area, we all come here for peace and quiet, open space and something that people treasure.
- Joe Pfau: I will let you know that the 170 acres and the zoning this is in, one of the things they looked at when they first came in, they have potential access to the Davos treatment plan, one of the considerations of density is 200 to 300 condominiums or townhouses. They did not want to go through that. They feel there is a market for the larger single family houses and still having the communal area.
- Brian Manown: I am confused about the one issue. Is condominium ownership even allowed on a 3 acre lot in a conventional subdivision?
- Paula E Kay: It is possible.
- Irv Newmark: We are getting a lot less than they could do. Anyone else? Okay, public is closed.

#### 4. DOWNTOWN MOUNTAINDALE – SBL# 46-1-2

- Joe Pfau represented.
- Joe Pfau: This is a simple addition to a building in Mountaindale. The building is on the corner of Oakdale and Railroad Ave. The building has started to be renovated right now. We're proposing a 40 by 40 storage area for a bike shop. It's going to be an addition for the bike shop. This is owned by Mr. Resnick also. It's a simple 40 by 40. It meets all the zoning regulations. No additional water and sewer, no bathrooms.
- Irv Newmark: Any questions on this?
- AJ Pantel: Why did you have to come here for this?
- Joe Pfau: We initially tried a permit application, but we were asked to come here.
- Paula E Kay: Part of the issue is you are combining a lot of lots too with this one.
- Joe Pfau: It's kind of an add lot, it's split by existing right of ways. The lot is separated in 3.
- Irv Newmark: Anyone else on this? Okay public is closed.

5. HASBROUCK TAVERN (SAL CRACOLICI) – SBL# 9-1-7
  - Was not heard, doing one next month.
  
6. NVEH SHALOM – SBL# 28-1-32.1
  - Joel Cohen represented.
  - Joel Cohen: The camp is an existing camp with about 40 kids, plus or minus. They were supposed to have another dormitory building and another library class building, and adding about another 90 students to the building. The property is on Riverside Drive, and it's in the REC-1 zoning, which allows the use of a sleep away camp. They just want to expand the camp.
  - Irv Newmark: Any questions? Okay public is closed.
  
7. OHEL ELOZER DBA BE'ER HATORAH – SBL# 17-1-33.1
  - Joel Cohen represented.
  - Joel Cohen: This is also an existing camp in the HR-1 zoning on Weber Road. This does not allow the use of a camp, it's nonconforming. They have an existing laundry room that they want to expand with less than 50%. They want to change the use to a dining room, they want a separate dining room for the families. This is a blow up of the site. This is the existing laundry room. They want to add another 352 square feet to an existing 720 square feet.
  - Irv Newmark: Any questions? Public closed.

#### NEW BUSINESS:

1. TOWN OF FALLSBURG- SBL# 52-5-1 – Review new layout for municipal parking lot.
  - Ben Mossberg represented.
  - Paula E Kay: This is a town parking lot. You have already approved the construction to the supermarket. (Inaudible)
  - Ben Mossberg: I'm not here for Landau's. I'm just showing what changed from the previous layout which I believe the Town Board has seen. It's still the same parking lot, not bigger or smaller. Same location. Originally it was proposed that there would be an entrance to the parking lot through Railroad Avenue, there was a reconfiguration by the Town Engineer of Keystone, the new entrance will be off Griff Court, ingress and egress. In addition there will be a commercial corridor to protect the pedestrians in the municipal parking lot which will provide an access for all the stores over here on the lower portion. That will be separated from the municipal parking lot so the pedestrians won't be in harms way.
  - Jay Zeiger: There will be curbing.
  - Ben Mossberg: There will be curbing down there to protect the trucks, and it is designed to make it difficult for trucks to turn into the municipal parking lot.

- Gary Tavormina: What effect does that have Brian Engle Park?
- Ben Mossberg: I believe none.
- Paula E Kay: There is a split between the developers and what the Town are paying for.
- Ben Mossberg: Landau's supermarket is coming to an agreement with the Town in which he will do the bulk of the work, curbing, striping, removing an existing island and patched with blacktop, all the signage, also for the electric they will turn it over to the town for the electric and landscaping.
- Maria Zeno: How are you going to avoid people coming in from Railroad Plaza? Right now when you come down Railroad Plaza, you can go right into the municipal parking.
- Ben Mossberg: All of this will be curbed. A significant amount of curbing. In addition Mr. Landau will be doing sidewalk along his building on Railroad and it will create some kind of pedestrian community where people will walk from Main Street to the parking lot and vice versa. There is an existing sidewalk on the side of the corner of the lake. This will continue so people are not walking in the middle of Railroad.
- Maria Zeno: That final walk area you are proposing, cars won't be able to park on there?
- Ben Mossberg: That was one of the Planning Board's ideas.
- Jay Zeiger: I think with the trees and landscaping...
- Maria Zeno: Behind the building?
- Jay Zeiger: I think the idea of that was to, that used to be the entrance and by putting the landscaping there..
- Maria Zeno: Okay.
- Irv Newmark: So what do we have to do tonight?
- Balsey Louckes: We need a bond on this?
- Paula E Kay: It's a town property. We will have an agreement that Jay has been preparing for final review, for the responsibility and probably tie it to their opening.
- Balsey Louckes: How will the delivery trucks coming in, trucks for whom?
- Jay Zeiger: For the supermarket?
- Balsey Louckes: Yes.
- Ben Mossberg: The board has previously approved that basically the delivery will basically be a delivery corridor. They come in off of Railroad and this is not going to be, there won't be parking.
- Jay Zeiger: Originally there was going to be parking there, and inside the supermarket surrounding it, the Planning Board when this was approved they said no.
- Ben Mossberg: If somebody comes, drops a pallet, it's in his property, not outside, he can just bring it into the store. All of this is going to be for commercial traffic, delivery to his store. And we are going to give an easement to the other stores to use this for access.
- Balsey Louckes: Is that one way for delivery?

- Ben Mossberg: Yes there will be a sign for no right turn, or do not enter.
- Jay Zeiger: There will be signs at the entrance off of Railroad Avenue, deliveries only. We had talked about possibly putting up a gate there.
- Balsey Louckes: We should have a bond on it. If they sell the property to someone else, that is still in place.
- Paula E Kay: I don't have a problem with that. I'm sure we can work something out.
- Balsey Louckes: They can make an agreement, take care of the Town part, now they should be held responsible to the end.
- Irv Newmark: So we need a motion to approve this plan.
  - MOTION:
  - Gary Tavormina makes a motion to approve the plan. Maria Zeno seconds. All in favor.

2. HASBROUCK TAVERN (SAL CRACOLICI) – SBL# 9-1-7 - Requests site plan approval for an existing restaurant (use to be renewed pending ZBA approvals). Zone: REC-1. Acres: 1.07. Location: Benton Hollow Rd., Woodbourne.

- Sal Cracolici represented.
- Sal Cracolici: I'm here today as a preapproval. I'm here to answer any questions.
- Gary Tavormina: What are you doing with the old buildings?
- Sal Cracolici: Restore them all. The garage too. I'll be redoing the whole thing before opening. It would be subject to all my approvals and I would purchase the buildings.
- Irv Newmark: It would be a restaurant.
- Sal Cracolici: Yes.
- Irv Newmark: Yeah they have to have a public hearing.
- Paula E Kay: You go to the Zoning Board, get a use variance, and then come back to you guys.
- Sal Cracolici: Yes.

3. NVEH SHALOM – SBL# 28-1-32.1 –Requests site plan review for the addition of a 86 x 84 dormitory building for 90 students and a 60 x 68 classroom/library building. Zone: REC-1. Acres: 21.96. Location: 389 Riverside Dr., Fallsburg.

- Joel Cohen represented.
- Joel Cohen: This is an existing camp on Riverside Drive. They want to add a dormitory building, we want to add kids. And a library classroom.
- Irv Newmark: We need some things done. We need a floor plan with a bed count of what you have there now. That's one of the things. We need to know how many people that are there now. We need it in writing. It would be good if it was

on the plan. How many people each building holds. How many will be there with the new addition.

- Joel Cohen: The building count back in 2014, all of the buildings were additions in 2014 inspected by the Building Department. They should have a count.
- Irv Newmark: We need the compactor location shown on the plan. We need an engineer to look at the run off and other concerns with the water and sewer. You're adding population, we need to know the water lines will be adequate.
- Will Illing: Does this have to go to the Department of Health for water and sewer?
- Joel Cohen: It's all town water and sewer. I don't think there's any issues.
- Will Illing: I would have to look into it. Those buildings are quite far back from the main road. Can you tell me how far back?
- Joel Cohen: Probably. It is about 500 feet.
- Will Illing: I will look into it.
- Irv Newmark: Is there a need for a 239 review because it is adjacent to the correctional facility?
- Paula E Kay: I believe so yes.
- Irv Newmark: You will have to get with the County and do the 239 review. Will will talk to you and then you come back with the plan, show the compactor location.
- Joel Cohen: Just showing the dumpster location on the plan? It is shown here, existing dumpster here.
- Irv Newmark: Is that across the road?
- Joel Cohen: Yes.
- Irv Newmark: Is that too close to the road? Someone will have to look at that and see if the compactor will work there.
- Joel Cohen: There is notation.
- Irv Newmark: We have a rule that we don't want it too close to the road and we don't want to see it. Someone will look at that and tell you it is an acceptable location.
- Gregg Pitula: I think where it is now it will be okay but it will have to be screened properly.
- Joel Cohen: It is screened all around. If we expand our operation, we will have to get a compactor.
- Irv Newmark: That's all we can do for you now.
- Joel Cohen: So the Town will send for 239. Can you do lead agency?
- Irv Newmark: You will get us the head count for each building.
- Gregg Pitula: Can you please add the buildings? There are buildings that they put on there from the other, classrooms from the Old Falls. Add those please.
- Gary Tavormina: What is the density for that property?
- Gregg Pitula: It's 25 acres, they are under.
- Gary Tavormina: They had certain conditions they had to take care of.

- Gregg Pitula: I'll look into that. That's part of what they wanted these other buildings added on there so we could do proper documentation. There are small classrooms they put on the top that aren't part of the plan, they are allowing them to use it for Fallview which is on the opposite side of the property. They have to count that into their lot calculations.
  - Irv Newmark: Okay, see you next month.
4. OHEL ELOZER DBA BE'ER HATORAH – SBL# 17-1-33.1 – Requests site plan approval to increase the size of an existing laundry building by 11 x 32 addition to use as a dining hall. Zone: HR-1. Acres: 9.98. Location: 46 Leroy Rd., Loch Sheldrake.
- Joel Cohen represented.
  - Joel Cohen: This is an existing cabin in the HR-1 zone so it is nonconforming, but they can expand there. It's an existing laundry building, which hasn't been used in the last year or so. They want to make it into a dining room so the staying families have a separate dining room.
  - Irv Newmark: We have a history of violations on that property. There are still some outstanding items left over from the last camp inspections. We are going to give a list of conditions. Fixing up some of the bungalows and finish the camp inspection list. We can't approve this until you do what they were told to do.
  - Gregg Pitula: They have some property maintenance issues to take care of.
  - Joel Cohen: Are there any other questions from the Planning Board?
  - Balsey Louckes: Yeah, get ahold of the Loch Sheldrake Fire Department so they are on board
  - Will Illing: There are some drainage issues that need to be taken care of.
  - Joel Cohen: Storm water?
  - Will Illing: Storm water run-off issues along the right of way by the tank.
  - Balsey Louckes: Head count while we are at it?
  - Paula E Kay: Yes.
  - Joel Cohen: We're not adding.
  - Paula E Kay: So we know what is there. Then we have to make sure there are no violations.
  - Ron Singer: What about the fire prevention equipment in the kitchen?
  - Balsey Louckes: When the Board of Health does an inspection they do all that.
  - Irv Newmark: You'll have to get with the Town, the Building Department, clear up the other things before we can do all this.
  - Gregg Pitula: They have been working on some violations.
  - Joel Cohen: Mr. Weis who is the manager now, he was going to be here tonight, I didn't plan to present. I believe he is working on the project, working on everything and the violations.
  - Gregg Pitula: He is working with George on the violations.
  - Joel Cohen: Is it possible to get a conditional?

- Paula E Kay: I think it's done.
- Irv Newmark: We have to wait.
- Balsey Louckes: Get ahold of Loch Sheldrake Fire Department.
- Gary Tavormina: Send it return receipt requested. At least you have proof that you sent it.
- Irv Newmark: Send into the Loch Sheldrake Fire Commissioner. You may get a better response.

### OLD BUSINESS:

- Downtown Mountindale moved to Old Business
1. THE ORCHARDS – SBL# 12-1-11.1/12-1-11.5- Requests 6 month extension for a previously approved site plan. Zone: REC-2. Acres: 64.9. Location: LaBaugh Rd., Loch Sheldrake
    -
  2. BROOKSIDE ESTATES – SBL# 49-2-14.1/14.2/16/19/28 – Requests review to remove old units and replace them with new units and a shul. Zone: HR-1. Acres: 8.64. Location: Laurel Ave., So. Fallsburg.
    - Randy Wasson represented.
    - Randy Wasson: This project is located on the west side of Laurel Avenue, about a quarter mile from here. It consists of maybe 5 units, the proposal is to consolidate a number of those, remove some of the older buildings. Part of the project includes what is now known as Angelo's Apartments, remove those as well. Construct 8 new units, 4 units to be in these 2 duplexes here, and then 4 single units to be throughout the site as shown, plus a new shul. We met with staff last week and they asked for a number of items that is reflected in the plan. We provided a parking calculation, (paper rustling) to show the proposed plan. As well as a parking area on the opposite side of Laurel Avenue. Recently we were out and we did a flow test with the staff from Will's office, we have an abundant water supply, a lot of pressure out there for fire fighting. There are 3 driveways in, this one is a short one. These others that go deeper into the site, we've opened those up and they have turn arounds. We are requesting from the board, a site plan approval, conditional approval tonight. I think I just became aware tonight of some Keystone comments, I reviewed them briefly with Will. They don't seem insurmountable, some technical things. Some have been resolved. 1 of those had been 2 units, we had 10 units shown on the plan, there had been 2 units in this area of the site. We removed those, those are in the town flood plain regulation restriction. We have taken them off the plan. We also added the columns for the bedroom counts.
    - Paula E Kay: Gregg, do you have the updated building plans for the Building Department?

- Gregg Pitula: The plans we have still have those 2 buildings on there. We had concerns about those buildings. I'm over here and they are different plans.
- Irv Newmark: Discussion with the water department about the water meters and the fire flow test.
- Randy Wasson: We did the flow test, we got 150 gallons a minute at 75 pounds of pressure.
- Irv Newmark: All the properties have to be consolidated.
- Randy Wasson: We have a note on the plan to do that.
- Gary Tavormina: Each individual house will have its own meter?
- Randy Wasson: No, there are 4 meters right now, 1 that serves this individual house, this meter serves this line that runs down and serves a bunch on this side, there's a meter that serves this building here, and there's 1 more that is right about here that serves the rest of the center.
- Gary Tavormina: I would make the recommendation that every house have its own meter.
- Will Illing: It depends on the other shift Gary. Is this multiple owners? If its 1 owner, then it's 1 meter. If they start selling off or leasing off, any change in ownership we will require individual meters.
- Balsey Louckes: What's the story with the fire department access around the back of the project?
- Randy Wasson: There is no access around the back. This heavy black line is the flood plain, that's the reason we took those 2 units off. There's access to this point right here, as you can see here are the units, and there is access all the way to this point. You could come in here as well but that's not as wide as these other 2 driveways. I think you have pretty good access, this gets you to this center area and this gets you to this quad.
- Irv Newmark: I ran this by the Fallsburg Fire Department?
- Randy Wasson: I do not have anything from yet.
- Irv Newmark: They've seen it?
- Randy Wasson: They have not seen the updates. The driveways have not changed. Just the 2 units are gone.
- Balsey Louckes: It's new ownership, they should see it.
- Gary Tavormina: We have another commissioner here, give it to her.
- Irv Newmark: You're looking for conditional approval.
- Randy Wasson: Yes, subject to...
- Irv Newmark: Fire department.
- Randy Wasson: Whatever you come up with Keystone. I really don't expect much.
- Robert Geneslaw: The board declared itself lead agency at a prior meeting and consequently an unlisted action (inaudible, papers rustling) I would like an opportunity to review the plan, make sure there are no issues being overlooked.
- Discussion.

- Irv Newmark: That's a good idea, because by then we'll hear from the fire department. Bob is going to prepare the part 2 for environmental, so we won't be able to do anything tonight.
  - Robert Geneslaw: I didn't see this plan or the one discussed at the staff meeting.
  - Randy Wasson: Nothing has changed other than removal of the units. We've had the parking on there for a month and a half.
  - Robert Geneslaw: The only plan I have seen was the first plan. I understand from the staff notes and the discussion tonight, that most or all of them have been resolved. I want to take a look at the plans before I recommend negative declaration for it.
  - Irv Newmark: By then we will hear from the fire department, we can do it next meeting.
  - Balsey Louckes: Where is the dumpster Randy?
  - Randy Wasson: Across the street in the parking area.
  - Balsey Louckes: This will be a compactor?
  - Randy Wasson: Yes.
3. SULLIVAN FABRICATION – SBL# 62-1-20.1 – Requests conceptual review for a light industrial manufacturing facility for shelving, racking and storage systems. Zone: I-1. Acres: 126.06. Location: 715 & 717 Glen Wild Rd., Glen Wild
- Joe Pfau represented.
  - Irv Newmark: We got the 239 review back and that called for local determination. Anyone on the board have any comments converting that from a closed chicken farm to a closed shelving place?
  - Balsey Louckes: The road between the house.
  - Joe Pfau: We are absolutely okay with separating the driveway access from the existing dwelling, when we send the maps in for signature we will make that indication. We'll bury that off however. Then there is a secondary access that comes out on the other side over here. We prefer to keep it but if the board feels strongly about it.
  - Balsey Louckes: That's a different road. That's a different street. There should be 2 accesses. We do have to get in there. On the main road there will be 2 accesses.
  - Randy Wasson: Absolutely, we'll put landscaping in and indicate that.
  - Balsey Louckes: Have to keep them happy so people won't be driving past their house.
  - Irv Newmark: Where do we stand on this?
  - Gregg Pitula: Is there any outside storage like Resnick has on his other properties?
  - Randy Wasson: We have significant buildings for storage so no proposed outside storage. All of the loading is in the rear of the buildings/
  - Gregg Pitula: Okay.

- Irv Newmark: We did lead agency last meeting. We found out about the driveway. Where do we stand now?
- Paula E Kay: If you feel comfortable, you could continue to move toward site plan approval.
- Irv Newmark: So we need a motion for negative dec.
  - MOTION:
  - Gary Tavormina motions for negative dec. Balsey Louckes seconds. All in favor.
  - Gary Tavormina motions for site plan approval. Balsey Louckes seconds. All in favor.

4. BLUESTONE ESTATES – SBL# 61-1-10.1/10.2/10.3/11.1/11.2/14.2/15 –

Requests sub-division approval to create a 29 lot cluster sub-division. Zone: R-1. Acres: 169. Location: East of Avon Lodge Rd., Woodridge.

- Joe Pfau represented.
- Irv Newmark: Do we need 239 on this? It's a town road near the river. We don't need one. I have a note here, the cul-de-sac are too long, more than 500 feet.
- Joe Pfau: We'll be looking for a waiver on the cul-de-sac.
- Irv Newmark: The Planning Board would have to make a determination to waive that requirement. Keystone has the information on this for review.
- Joe Pfau: Yes we emailed it to them on Monday.
- Irv Newmark: We don't have a response yet, okay. Paula?
- Paula E Kay: There is very little we can do. Bob needs to start his review. Keystone comments on the map. So if there is a lot of engineering and planning that needs to be done.
- Joe Pfau: Our approval we are seeking is preliminary, then we have to go to the state Health Department for review of the water and sanitary, then we come back here again for a final approval, so by the time...what we would like to at some point is get the preliminary approval because that review with the Health Department is time consuming.
- Paula E Kay: My suggestion would be to get onto a work session after Bob and his staff have had time to do their review.
- Robert Geneslaw: Joe you know you need a waiver for the cul-de-sacs. Anything else you have identified thus far?
- Joe Pfau: No I don't think so. We meet the requirements in the 3 acre lots.
- Robert Geneslaw: Take a look at the requirements in the subdivision regulations. Make sure there's nothing in there. If there is, one of the few, put it in writing and give the board a reason for it so they can review it one at a time and make a decision.
- Irv Newmark: It would be helpful if you put the flood plain area on there for next time.
- Joe Pfau: It is indicated on the plan set.
- Irv Newmark: Put it in yellow or red.

- Balsey Louckes: See what you can do with your gallon....
  - Joe Pfau: Yeah I won't trust that.
  - Will Illing: Can we ask for any shrubbery or buffering along the edge of the road to shield the existing homes a little bit?
  - Joe Pfau: This area here?
  - Will Illing: I believe so. I have heard comments about that area.
  - Irv Newmark: I don't think the other driveway will be an issue down that way.
  - Joe Pfau: That road here is the existing drive.
  - Irv Newmark: That shouldn't be a problem.
  - Gregg Pitula: Maybe some fencing along that road to prevent children. They have a fairly large community. They probably as many people in that community as proposed for the whole area here. I believe it is fenced from the road. I'm not sure how far it continues up the property lines and up the sides. So children don't wander out.
  - Paula E Kay: Mr. Chairman, on this project since there was so much public concern, perhaps we can hold the applicant to the public hearing comments.
  - Irv Newmark: That the people made. Especially about the flood area, that's a major one.
  - Will Illing: Are we within 500 feet of the Denizen Ford Bridge? There was a county bridge there I believe.
  - Joe Pfau: I don't know.
  - Will Illing: I think it is more than 500 feet. We should be okay.
5. DOWNTOWN MOUNTAINDALE – SBL# 46-1-2 - Requests site plan approval for an addition to the existing building for the bike shop. Zone: R-1. Acres: 1.40. Location: 6 & 8 Railroad Ave., Mountaindale.
- Joe Pfau represented.
  - Joe Pfau: As I mentioned, we're here tonight for an addition to an existing building. A bike shop facility, a 40 by 40 expansion, strictly storage. Meets all the zoning setbacks.
  - Gary Tavormina: Bicycle shop?
  - Joe Pfau: Yes.
  - Irv Newmark: Let me tell you what we have. It's an MX zone, it was mislabeled. The requirements are the right ones. There are several parcels linked together with 1 SBL. There are very few requirements in the MX zone. It doesn't seem to be causing any issues. 1 or 2 stories?
  - Joe Pfau: 1 story. This is the existing building here, and this is the addition.
  - Irv Newmark: So no living spaces. The only other question is do we send them to the ARB?
  - Gregg Pitula: They will have to go to the ARB for the architectural. The existing store is getting remodeled, they are going to put rental apartments above the existing store.

- Paula E Kay: So there is living space?
  - Joe Pfau: Not in the expansion. In the existing building. All allowable uses.
  - Ron Singer: Is this sales, services, and rental as well?
  - Joe Pfau: I would say yes. I don't know the business that well to be honest.
  - Gregg Pitula: He rents, repairs.
  - Joe Pfau: Is the ARB something this board sends me to?
  - Irv Newmark: Yes.
  - Gregg Pitula: You go to the ARB for part of the approval, just for the architectural design before they come up with a final set of drawings. The ARB would approve the design, the colors, and the architectural features of the building.
  - Joe Pfau: Is that part of the site plan approval or the building permit approval?
  - Gregg Pitula: Building permit.
  - Irv Newmark: We can't approve it until the ARB says yes.
  - Balsey Louckes: You won't have to come back.
  - Joe Pfau: Thanks.
  - Irv Newmark: Can we approve this?
  - Gregg Pitula: Subject to the ARB.
  - Irv Newmark: Do we need to do environmental on this? It's just a building permit.
    - MOTION:
    - Balsey Louckes makes a motion to approve as proposed, pending the ARB. Gary Tavormina seconds. All in favor.
6. WILLOW WOODS – SBL# 28-1-50 – Requests site plan amendment to update the site plan with correct locations of buildings and add proposed new buildings. Zone: R-1. Acres: 75.87. Location: Brickman Rd., Fallsburg
- Kirk Rother represented.
  - Kirk Rother: We were here for several meetings in the fall. That was to get a grasp of what was built out of the site over the past many years. We've as-built the whole site. The topic at that time was the number of units. There was a discrepancy over that. We believed the original approval allowed for 134 units, the condominium offering had 134 units. During a staff, based on the minutes, the approval, it seems it was for 118 units. There were 5 units left to be built, based on those staff meetings the board asked for a couple of items to be addressed before to the building permits being issued. They wanted us to add the proposed landscaping that was supposed to be built in the front and show it on this plan and that will be done this spring. We are to install water heaters on everything and that is in the works. They would like us to put a grinder pump in, that is done. I believe Will has asked to verify the spec and model number of the pump, which I will do. The last item is for storm water management compliance, this plan shows the management ponds and how large they need to be. They do have to be large. I am working with Keystone to remedy that. We expect that to be done as soon as the weather allows. Mollie allowed the building permits to be

issued recently, now we are before the board to increase the number of units from 118 to the 134 units shown in the condo book.

- Balsey Louckes: Who owns it?
- Kirk Rother: HOA.
- Balsey Louckes: Who is HOA?
- Kirk Rother: Who technically owns it?
- Shragy: I don't know.
- Balsey Louckes: You're taking full responsibility of this property when it was not finished and that you're going to do everything?
- Shragy: I came in and I spoke to Mollie and said that I want to see this project done and over. I have 5 permits already, hopefully some will be moving in. If I can still get it for this summer, I want this to be over. I want Willows to be closed. All of the speed bumps to be moved, they have been. I sat with Will privately, he got me the grinder pumps. Last a year couple didn't work, Will said he will look into it. Whatever needs to be done, I will do it. If the board is asking I should put a bond in, I will do that. I want to issue the permits, and finish the project. I have an invoice to do the landscaping and to do the storm water management work. Hopefully it will be done by spring.
- Balsey Louckes: You're willing to put up a bond for what's not been done?
- Shragy: I am willing to do that.
- Irv Newmark: Bob you are involved with this. I have a note here from Mollie that no COs will be issued until Keystone signs off and the plan is stamped by Keystone and the chairman. Mollie has given them the okay to go ahead, they have done enough work. They need to make the retention ponds bigger.
- Shragy: I am okay to finish project, additional permits, put in a bond. I'll be done by 2016.
- Paula E Kay: What Mollie is saying that is no building permits will be issued...
- Irv Newmark: She did issue them. No COs.
- Gregg Pitula: They are requesting more.
- Kirk Rother: These 16 shown on the plan.
- Paula E Kay: There's the as-built and the new stuff. There won't be permits issued on anything new until this plan is stamped. Work with Keystone and get it to...
- Balsey Louckes: Bob is board with us.
- Paula E Kay: Most of this is the as-built.
- Balsey Louckes: Any violations, outstanding building permits?
- Gregg Pitula: Just the stuff they have to finish here.
- Balsey Louckes: So there's nothing going on up there?
- Gregg Pitula: They've stopped work orders on the property for a while.
- Gary Tavormina: Will, any questions?
- Will Illing: I am good.

- Kirk Rother: Procedurally, what happens? This is going to be an amended site plan?
  - Irv Newmark: Yes. It has to be amended because the buildings were not in the right space.
  - Kirk Rother: When would the board act on that amended site plan?
  - Paula E Kay: Once Ken has completed his review. Maybe the next meeting?
  - Kirk Rother: Does the amended site plan require public hearing?
  - Paula E Kay: I don't think so. Most of what we're doing is taking what's already there and putting it on the map.
7. TIMBER RIDGE – SBL# 28-1-1/27-1-11/27-1-12.6- Intent to start SEQR review process and further review of project. Zone: REC-1. Location: Rt. 42, Woodbourne
- Marty Miller represented.
  - Marty Miller: We are very close to putting shovels in the ground. We are sufficiently close at this point, that we have provided the cutting to the town. It will be reviewed by Ken. We can begin presumably in the next week or 10 days to start our preliminary clearing of the site. What is yet to be done on that is a recommendation in respects to a bond. Ken will be here Thursday of next week.
  - Paula E Kay: There is also a memo that Will put together regarding fees.
  - Marty Miller: We have not been provided that. We would like to get there Thursday or Friday have someone start cutting. We'd like to have the fees at a minimum because all we are doing is the preliminary work in terms of cutting and clearing in order to access the site and some building sites. We were hoping to do it this winter. We didn't have a winter or an approval. We were hoping to have frost on the ground which makes work easier. That would be our request. All of the loose ends have been substantially addressed. The water system is being reviewed by the Department of Health. The DEC is reviewing the plans laid out for the sewer. We are reviewing alternatives for the new homes going in. When we started this project years ago, there were many alternatives. Now there are only 2 companies providing homes we want. We have done a great deal of work over the years. I would ask for your approval so we don't have to come back here.
  - Irv Newmark: If we do it, it can only be for 6 months.
  - Balsey Louckes: I have no problem this time, but I don't want to hear frost for the next 6 months. I have no problem with another 6 months. The next one I won't be in favor of.
  - Marty Miller: We have provided all the plans, we have responded. This is a project which require extensive water and sewer. It is not our delay in getting those permits. We don't have control over the DEC or the Department of Health.
  - Balsey Louckes: You tell me the DEC is holding you up, I understand that.
  - Marty Miller: We have been trying to get the clearing done since the fall. We

thought we had our ducks lined up, there are more lined up now.

- Irv Newmark: The last issue, the note I have is that is for Keystone to approve the limits to clear.
- Marty Miller: My client tells me today that that happened. That's why there's a meeting Thursday.
- Gregg Pitula: Before you even decide to clear, we need a surveyor in there to mark off where you can clear to.
- Marty Miller: That's no problem.
- Gregg Pitula: Without those marks we don't know where the property lines are.
- Balsey Louckes: What kind of bond for the clearing?
- Paula E Kay: I think that's something that Will was coming up with along with his fees. We'll work through that. We have a discussion, one of the things about this project is where they are going to be cutting for the road is not visible from the roadway. It is not visible from any of the neighbors.
- Marty Miller: The entire project is up on top and hidden behind properties in front of us with trees. With the clearing for the road and the clearing for the project itself is not visible to the community. It is not something you will drive down the road and say look what happened. We don't presume the worst, they have been funding this project for 5 or more years, spending an extraordinary amount of money on professional fees and engineering. The construction is kind of the end of that road. It's financially a secure project, moving forward. The cutting will not produce any visual eyesores for the community. You will see it coming in from the road, but that's about it. One of the things we did, in the initial review you may recall that we discussed a boulevard that went up the mountain with cutbacks. The Daveson piece was acquired to avoid that. It was not as attractive. The Daveson property gives us the ability to bring the road in at an angle, up to the top so that you don't have a clear shot up, so that if you stopped and looked it's not a visible situation. We are anticipating on closing on that. The delay on that is because the attorney for the Daveson's is in Florida and not scheduled to come back until the end of the month. We closed literally yesterday, we have an agreement that allows us to purchase at any time. I don't know if we can close until then.
- Irv Newmark: We need a motion to give them a 6 month extension.
  - MOTION:
  - Balsey Louckes motion to grant a 6 month extension. Ron Singer seconds. Gary Tavormina recuses himself. All in favor.