

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

TOWN OF FALLSBURG PLANNING BOARD MEETING

May 11th, 2017

In attendance: Arthur Rosenshein, Chairman, Irv Newmark, Balsey Louckes, Planning Board Members, Gary Tavormina, Planning Board Alternate, George Sarvis, Code Enforcement, Paula E Kay, Deputy Town Attorney, Mary Giurastante, Planner

- Arthur Rosenshein called the meeting to order at 7PM.
- April minutes approved

P PUBLIC HEARING

1. MOSDOS SKOLYA – SBL# 50-2-11.1

- Allan Frishman represented.
- Allan Frishman: There is an existing 3 story building on the property now, they are replacing it with a 2 story building. The location is right here. We're increasing by 20% which is the allotment of square footage. Currently, the occupancy is 9 families, 12 guest rooms, and 1 small shul in the building. The proposed will be 9 families, 1 guest suite, and 1 caretaker apartment. We're not adding much to the footprint and decreasing the number of guest rooms.
- Arthur Rosenshein: Any questions or comments? Public hearing is closed.

2. FOUR BROTHERS INVESTMENTS (STEVE MACCHIONE) – SBL# 8-1-37.2

- Dylan G represented.
- Dylan G: We want to put a pole building on the property on the 5 acre property. It's a 1.26 acre property, we're going to combine it with a 3.96 acre property. It will meet the 5 acre requirements.
- Arthur Rosenshein: Have the lots already been combined?
- Dylan G: I believe so yes.
- Arthur Rosenshein: Check on that before hand. Any questions? Public hearing is closed.

NEW BUSINESS:

1. INTERMAK GARAGE – SBL# 35-6-1.1 - Requests a 6 month extension for a previously approved site plan for a garage. Zone: HR-1. Acres: .244. Location: Cunes Rd., Hurleyville.
 - Cancelled
 - Mollie Messenger: They received a building permit so they don't need anything.

2. MOUNTAIN STREAM VILLAS – SBL# 29-1-4.1 - Requests conceptual review for a duplex development of 93 units. Zone: REC-1. Acres: 83.79. Location: Lake House Rd., Woodridge.
 - Jay Zeiger represented.
 - Jay Zeiger: We're not going to be doing a whole lot tonight, it's really to reintroduce this project. This has been long running. It was approved, a final cluster being approved. It went away because of litigation over the property. It sat in litigation for a whole bunch of years, then that ended. This was introduced pre 2007 or 2008 zoning laws. By the time the litigation ended, the 5 year window that the Town allowed projects to continue under that zoning expired, they didn't comply with the current zoning law which was the duplex law because they are in the REC zoning district. For the last year or 2, we've been trying to work out something with the Town to bring this project back to life. We've gone to the Zoning Board about a year or year and a half ago for a variance to allow this to be a duplex development. The Zoning Board turned that down, there was some litigation, we sat with the Town Board they talked about doing it as a PUD, they talked about special legislation, changing zoning, at the end of the day it was sent back to the ZBA to reconsider the use variance. That was done back in the last ZBA meeting, they granted a use variance for this project to proceed.
 - Arthur Rosenshein: Did they set any special conditions?
 - Jay Zeiger: Mollie do you want to go over the special conditions??
 - Mollie Messenger: I did not bring them.
 - Jay Zeiger: No additional buildings other than what was shown on the site plan, basements no more than 2 feet outside of the ground with no outside entrances to the basement.
 - Arthur Rosenshein: Which bulk tables are they using?
 - Mollie Messenger: They are using the duplex law, because it is a duplex community.
 - Arthur Rosenshein: So everything is as per duplex law.
 - Jay Zeiger: Yes and the bulk tables, they are essentially the same. We understand we have to start from the beginning, many of the reports that engineering has to do are done, they have been reviewed and approved. There was a letter we have shown to the ZBA that was compelling, it was a letter from Ken Eslworth saying that he has only one minor comment, deal with the comment and he will sign on the back. Ken has reviewed the plans he would be looking at, I know there was a

change in law over SWEPP so that will have to be modified. Other reports will have to be updated for review. We will have to that anyway, we wanted to bring this to your attention. This is the design the ZBA looked at. This is the design that we will ask you look at and approve.

- Arthur Rosenshein: I think we'll bring our planner on board for this. Have you seen this yet?
- Mary Giurastante: I have not looked at it yet.
- Mollie Messenger: I'm not sure if you have escrows for both engineering and planning yet, do you?
- Abe Berkovic: For planner there is escrow, engineer the escrow was depleted but I think a check was mailed at.
- Mollie Messenger: I would imagine the next step you're looking to go to is a work section so we can understand what studies need to be done. You put in a request for that? They are filling up very fast so email me when you are ready.
- Arthur Rosenshein: Board members have any comments?
- Irv Newmark: I think it's a better plan than the last one. It's not as spread out, it's concentrated in the middle.
- Gary Tavormina: We have elevations for what those buildings are going to look like.
- Jay Zeiger: I don't have them with me tonight. We're going to have to go to the ARB. We will bring those with us for the approval process.
- Gary Tavormina: I would love to see them so we know what is going on, so the Building Departments will know what they will look like in case there are any changes.
- Jay Zeiger: There's nothing more we can do tonight.
- Audience: That property there, is that the same owner?
- Jay Zeiger: No, this lot ends here.
- Will Illing: There's an easement for it.
- Jay Zeiger: That's an issue for the neighbor.
- Abe Berkovic: It all worked out to an easement.
- Arthur Rosenshein: Thank you for coming in.

3. MOSDOS SKOLYA -SBL# 50-2-11.1 – Requests site plan approval to replace the existing 3 story building with a two story with an increased footprint of 20%. Zone: B-1. Acres: 12.40. Location: 5293 Rt. 42, So. Fallsburg.

- Allan Frishman represented.
- Allan Frishman: Last year you gave me approvals for a new synagogue. That's what it was. That was the end result. There was a big change. This is what we're trying now, we're replacing with something that is appropriate for the Town. Just to give you an idea of what's been done and what we want now. As I explained before it is a replacement structure, 2 stories with a basement. The amount of increase is 20% which is permitted. I don't have too many other things to say about it. It's really replacing what's there. If the board has questions.
- Arthur Rosenshein: Violations Mollie? Anything we need to do.

- Mollie Messenger: I don't have building violations on this property, I'm not sure where Will stands.
- Will Illing: We'll have to look at the records and see.
- Mollie Messenger: This one is supposed to be a replacement, so when you do submit a map make sure it shows and tells what you are replacing and what you are doing so it is clear you're not trying to expand the actual use of the building. You will want to label the rooms within the site map.
- Will Illing: We need existing versus proposed. You have to do it for the development fees.
- Mollie Messenger: All of your bulk table requirements, Kirk has been listing what the bulk table says but I need to know what is proposed. I don't think he has density calculations on there either.
- Allan Frishman: That's easy enough.
- Arthur Rosenshein: How many floors will there be?
- Allan Frishman: 2 stories with a basement.
- Arthur Rosenshein: Will it need sprinklers then?
- Allan Frishman: Yes it will. They are in the existing building now, that is 3 stories above grade.
- Gary Tavormina: Do you have elevations of the proposed?
- Audience: Not yet.
- Gary Tavormina: You may want to do that.
- Arthur Rosenshein: They will have to go to the ARB.
- Allan Frishman: We know we have to get through that step, since there isn't a lot on site that we have to deal with, and we are replacing a building, if it is possible to get something tonight, conceptual to say with the 2 items you wanted added to the site map, we can add that and get it put on, it's not a big deal, then move forward to the ARB to save some time.
- Arthur Rosenshein: The SEQR on this would be a type 2, so we don't need to do that. Even though you've given us a long form, part 1. We won't bother to go over it.
- Allan Frishman: Type 2 you don't do anything?
- Arthur Rosenshein: It's exempt. Will, anything you want before the next meeting?
- Will Illing: We already have 1 fire sprinkler line going to this property, it seems like we'll have another one going into it. We're not fond of that. It looks like at this point, they need to put in a property fire line, water meter, and a pit and put in a proper distribution system to satisfy their water flow needs. Someone needs to come up with a plan for the water system.
- Allan Frishman: For the fire flow of the sprinkler system?
- Will Illing: Yeah, the existing 4 inch I don't know if that will handle the additional flow.
- Allan Frishman: From what I recall, if you have 1 line going in, it's not likely both buildings would burn at the same time.
- Audience: Are you going to require a water meter and pit if the flow is okay?
- Will Illing: It depends how you are going to achieve your fire flows. If you're going

to just use the 4 inch existing, t off from that then it is okay. We don't want to see another tap in the Town name. If the designer of the fire flow and sprinkler system say you can't do that, then we're doing a meter pit and a fire flow meter and you'll be done.

- Allan Frishman: You want something from the sprinkler company that would be certification?
- Will Illing: Yes.
- Allan Frishman: If he says we can t off on a 4 in line we are okay?
- Will Illing: For fire only, not domestic
- Audience: Currently we have a separate line that comes in, it's an inch and a half to 2 inch, since it is right by the road, it is the possibility we will have for sprinkler based on that. Would that be acceptable?
- Will Illing: That we'll have to go over. We can talk more.
- Allan Frishman: Do we have to come back for that?
- Will Illing: It's a technical review.
- Arthur Rosenshein: All we want is for Will to say yes.
- Allan Frishman: If I give that information.
- Arthur Rosenshein: Then at the next meeting, we ask the same question and Will says there are no engineering issues, you are done.
- Allan Frishman: So we have to come back?
- Arthur Rosenshein: Yes, there were some site map issues.
- Allan Frishman: We're just adding some items.
- Arthur Rosenshein: We like to see the final map. It should get done in 1 meeting. You have something about density calculations?
- Mollie Messenger: We want the map updated with the density calculations. I don't think they are over but I need it on the map. We like to have the maps current.
- Arthur Rosenshein: Anyone on the board? We should be able to finish it off next meeting.
- Mollie Messenger: Allan do you think you will getting into the ARB in June?
- Allan Frishman: I believe so.
- Mollie Messenger: The ARB will be on June 8th, the same night as the Planning Board so you will be in both rooms.

4. FOUR BROTHERS INVESTMENTS (STEVE MACCHIONE) -SBL# 8-1-37.2 –

Requests lot improvement and site plan approval for a 50 x 80 pole building. Zone: AG-1. Acres: 5.21. Location: Divine Corners Rd., Loch Sheldrake.

- Mollie Messenger: You saw them a year ago, they had an undersized lot and we asked them a bunch of questions about the pole barn. They're using it to store machinery. They needed to go the ZBA so there was nothing we could do, instead of going to the ZBA they acquired the rest of the 5 acres they needed.
- Will Illing: What is that lot with the pond on it?

- Dylan G: That's owned by (inaudible). It wraps around the one property.
 - Will Illing: The 10 foot right of way goes up there?
 - Dylan G: Yep and that services the pond in the back.
 - Will Illing: That's existing and we're not changing that at all. Okay. That's all I wanted.
 - Arthur Rosenshein: So that was easy enough.
 - Mollie Messenger: We like to do this better than variances.
 - Arthur Rosenshein: I see septic area, proposed pole barn. Are you going to gravel the road from the house to the barn?
 - Dylan G: Yeah there's a proposed roadway right next to the property. They're going to put a new one down, so you can turn around. It has the grade for the driveway is only around 10%.
 - Arthur Rosenshein: Planning Board members?
 - Gary Tavormina: Are you illuminating that turn around?
 - Dylan G: I think he's keeping it because he owns both driveways.
 - Arthur Rosenshein: In other words, it was with the property when sold, correct?
 - Dylan G: Yes I am pretty sure.
 - Will Illing: Where is the well? The water supply well, is it shown here? Is it on the property?
 - Dylan G: I'm sure it's on the property, I just have to see where. I'm not too sure about that situation myself.
 - Will Illing: You will have to verify where the well is.
 - Mollie Messenger: Is the well in front of the house by the 52.8 foot marker? It may have gotten lost in there? I think it might be right off the house there.
5. UTA OF KIRYAS JOEL – SBL# 36-1-52.1 – Requests site plan approval for a dorm building. Zone: R-1. Acres: 123. Location: Pleasant Valley Rd., So. Fallsburg.

OLD BUSINESS:

1. VODAS (DAVOS)- Discussion regarding authorization of traffic study for the site plan amendments.
2. MOUNTAIN ACRES – SBL# 42-1-11.1 – Conceptual review of a site plan for 140 units. Zone: REC-1. Acres: 74. Location: CR 56, Mountindale.
3. NEW PINES VILLAS – SBL# 39-1-88.1/39-1-96.3 – Requests approval for a two lot sub-division. Zone: R-1. Acres: 44.5. Location: Laurel Ave., So. Fallsburg.

4. CONGREGATION KAHAL MINCHAS CHINUCH (PARK HOUSE) – SBL# 60-1-51,52,53 & 54 - Requests site plan review for 24 additional units for a religious retreat. Zone: REC-1. Acres: 21. Location: Fred Rd., So. Fallsburg.

5. LAUREL CREST – SBL# 56-1-1/39-1-90 – Requests amended site plan approval from a previously approved site plan to relocate the duplex units. Zone: HR-1. Acres: 20.67. Location: Laurel Ave., So. Fallsburg