

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

TOWN OF FALLSBURG PLANNING BOARD MEETING

January 14, 2021

In Attendance: Chairman Arthur Rosenshein, Gary Tavormina, Paul Luyck, Irv Newmark, Cody Vegliante, Bucky Loucks, Planning Board Members, Mollie Messenger Code Enforcement, Helen Budrock Town Planner, Paula Kay Lawyer for the Town

Arthur Rosenshein called the meeting to order at 7PM.

Arthur Rosenshein: Lets begin with a motion to accept the minutes of the 10th of December meeting, or changes.

Paul Lucyk: Motion.

Gary Tavormina: Second.

Arthur Rosenshein: All in favor raise your hand please. Unanimous, that’s done.

1. **OLD BUSINESS: SKOPPS COTTAGES – SBL# 27-1-17.2 – Requests site plan review to demolish and replace unit 21E. Variance was granted for an 1800 SF replacement unit on 10/15/20. Zone: R. Acres: 16.99. Location: 305 Murphy Rd., Fallsburg. Cross Roads: Brickman Rd.**

Joel Kohn represented.

Joel Kohn: Skopps Cottages is an existing bungalow colony on Murphy Road and Brickman. If you want me to bring up the map I can do that. Its replacing unit #33. Originally proposed to demolish the 750 square foot bungalow and replace it with a 3,000 but neither the ZBA or the County 239 review went along with that. It was approved to 2,000 square feet then the ZBA agreed to a variance for 1,800 square feet unit. Now that we have the variance were back at the Planning Board to get this product approved. That’s in short.

Arthur Rosenshein: Mollie, you had a question on how it fit on the lot, setback.

Mollie Messenger: I went back and forth with Joel a little bit. They’re expanding the building in the setback and the wording in the variance in the decision letter didn’t match up. I had to go back to the minutes to find out what was actually decided and then ill have to talk to Paula about the actual decision letter. Theyre expanding in the setback but theyre not increasing the setback like Joel is saying from the road to the house but theres more area along the front so I don’t know if its an issue or not. I’m not trying to say they have to go back to the Zoning Board in any way, I’m trying to make the decision letter correct with the site plan.

Joel Kohn: If you look at the map here this is 21E removed and proposed. Its going to be a little bit further away from the road for the two but its being expanded in the same time and were increasing the non-conformity in respect to the variance we got but not the respect of the setback.

Arthur Rosenshein: Where on the map is the setback shown?

Joel Kohn: It's an existing bungalow colony so there's no bulk table requirement for that. All bungalow colony codes dashed line, this is setback, so we're close to the road.

Arthur Rosenshein: So it was built in a setback.

Joel Kohn: Yes.

Helen Budrock: So you're enlarging the size but not increasing the non-conformity in terms of the setback.

Joel Kohn: Correct.

Mollie Messenger: There are not utilities on the map as far as sewer and water. Those are all connection details we can go over with Ken a little later. I talked to the building department, I didn't know if there was any parking buildings in this development, they didn't know of any and I'm not sure if the board knew of any. Then I wanted the board to talk about landscaping because it is going to be visible from Brickman and the side road.

Arthur Rosenshein: What is there presently in the space?

Joel Kohn: Couple trees over there. I think that unit is not as visible from the road. It might be more visible as we expand it over this way. The existing unit is 30 feet from the road, the proposed is going to be 35 from the road. We did show relocation of sewer panel and sewer line. We can take a look at the landscaping, what has to be done.

Arthur Rosenshein: It would be a good idea to get what it's going to look like.

Mollie Messenger: The 1,800 square feet, is that finished space? A lot of times we run into a two story home with an unfinished basement and they can finish the basement.

Joel Kohn: 1,800 square feet is a footprint which will be a first floor and a basement. Essentially it can be 3,600 square feet built out.

Arthur Rosenshein: Where is the entrance? Roadside or interior side?

Joel Kohn: Interior side.

Arthur Rosenshein: So from the road we are going to see the back of the building.

Helen Budrock: And the back of the building – where will the deck be?

Joel Kohn: Murphy Road.

Irv Newmark: I would like to see shutters or something on the side of the windows or something ornamental so it doesn't look plain from the road.

Joel Kohn: Shouldn't be an issue, I'll relay it to the owner.

Arthur Rosenshein: There are a few technical issues Ken has to look over. What color will the building be?

Joel Kohn: I don't know, it will be vinyl siding but I don't know the color. The rest of the buildings are white vinyl siding. If you want to match it either way I don't think it's an issue.

Paul Lucyk: The size of the lot where the building was squared out, that's only about 1,500 square feet.

Joel Kohn: Its exactly 1,800 square feet.

Arthur Rosenshein: That's what well be approving.

Joel Kohn: Do we need a public hearing for this?

Paula Kay: Yes you do.

Joel Kohn: And I think we also need 239 review.

Mollie Messenger: I'll have Denise send that tomorrow.

Joel Kohn: Ill see you next month on this.

2. **OLD BUSINESS: GEMS Irv Newmark THE WOODS (OLD NAME: ALEXANDER COUNTRY VILLAS) – SBL# 28-1-57.5 – Requests an 8 lot sub-division. Zone: R. Acres: 5.58. Location: Brickman Rd. Cross Roads: Twin Oaks Blvd. Michael Rielly represented.**

Michael Rielly: Gems in the Woods, as everybody may recall, is an 8 lot subdivision off Brickman Road in between Twin Oaks and Lake Forrest. Last meeting we had a public hearing, there wasn't much from the public except concern with visibility. As indicated back then theres a significant wetland along Brickman that shields much of the project, but to be sure I added a bunch of trees along the front where the entrance cuts in in attempt to shield that. That's the main change I made to the plan since last time. We ran auto turn for the fire department and shot those simulations to the fire department. As of today I didn't hear back from them. We sent on December 11th, certified. I was hoping to obtain approval, if possible, tonight.

Helen Budrock: I think were ready at this point to do preliminary subdivision approval. Mollie, is there still detail that needs to be worked out with water/sewer connections with Ken?

Mollie Messenger: I have not seen Kens comments on this one but they are all private connections so we will have to talk about grinders and other specifics. We can talk with Mike later.

Mollie Messenger: I talked to Mike about placement of houses, which is right between wetlands and the roads, so if they do build that big of a house in that square then there wont be room for decks, porches, additions. The houses haven't been designed yet, the owner can build what they want to build, I just wanted to be clear those lots don't have a lot of wiggle room in them.

Michael Rielly: Yeah and those wetland lines will be shown on the subdivision plat so people will know what theyre buying. They'll be able to see what those wetland lines are know how much room there is to build. Its also delineated on site.

Helen Budrock: Is there a note that it's a "no build"?

Paula Kay: No, not unless its pointed out. Is this an HOA?

Michael Rielly: There will be some sort of entity, most likely HOA that covers maintenance of the roads.

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Paula Kay: I would suggest strongly that there's some kind of notification in the HOA document regarding the tight space.

Helen Budrock: Particularly on those lots.

Michael Rielly: I can add stuff to the plan to make it more obvious.

Paula Kay: I would do all three.

Arthur Rosenshein: On the road maintenance, how do we enforce that or put that in? if it's a private road, and you own the house on the end of the road and you need a repair, how do they arrange to do that?

Paula Kay: That would be in the HOA documents. The HOA has to have a reserve fund to take care of that and show their financials.

Arthur Rosenshein: Typically would you review that before we passed it final?

Paula Kay: I always like to. If you make that a requirement it would be helpful.

Gary Tavormina: I'll make that a requirement.

Helen Budrock: Mollie, you said the planning board should review the landscaping plan and see if there's opportunity for additional plantings along Brickman Road?

Mollie Messenger: Mike said about the wetlands that are there in the front. So whether that fullage is good enough, fine, but he does have stuff at the entrance. Just a note, I'm not sure if the planning board has looked at it or driven by.

Arthur Rosenshein: We can do the preliminary tonight. With the final pending notes on the map about the limitations of the lots, it will also be in the HOA. HOA has to be done before we give final approval. Anything else we have to put on the motion?

Mollie Messenger: Helen will have to do a formal subdivision resolution.

Helen Budrock: I can do that after.

Arthur Rosenshein: Those are the only factors for preliminary approval.

Gary Tavormina: And whatever Paula needs.

Arthur Rosenshein: Right. Motion for subdivision preliminary approval, final pending the details I've already given.

Irv Newmark: Motion.

Cody Vegliante: Second.

Arthur Rosenshein: All in favor. Unanimous.

3. **OLD BUSINESS: UTA – SBL# 36-1-52.1– Requests site plan approval for a new 30 x 65 swimming pool. Zone: R. Acres: 112.52. Location: 224 Pleasant Valley Rd., South Fallsburg. Cross Roads: Brickman Rd. Joel Kohn and Jay Zeiger represented.**

Arthur Rosenshein: We've seen a lot of this particular property. We never got the walking path, that was not possible?

Jay Zeiger: No, we spoke to the neighbor. The contact said they would take it back to the board and thought it would be okay because they would be using it also, but the board was adamant opposed. We did do a lot of the off-site work. Joel you may have a list of what is done.

Joel Kohn: All proposed cross walks are done.

Jay Zeiger: And directional signs for us and anybody else in the area directing them to the trail was put up.

Arthur Rosenshein: Was there any problems last summer with kids walking to town?

Jay Zeiger: There was no problem this summer but in fairness there were no kids, either. I think the summer before that all the off-site work was done and at least from my end I wasn't getting calls or emails from any of the people that have been calling me in the prior years. The applicant has been trying to stay on the grass area between the road and the fence. And what were asking for today is not changing the population of the camp, its making the use and enjoyment of the camp more enjoyable for the people that are there, not increasing population.

Arthur Rosenshein: Helen, are you on board?

Helen Budrock: Sure if you'd like to engage me.

Arthur Rosenshein: Yeah, this site is complex. It would help if you could bring together what was required before and where we stand on it. Its only a swimming pool, it shouldn't be a big deal.

Mollie Messenger: Joel can you speak ot the plan a little? There was a three story addition on the plan that you sent, as well as the pool.

Joel Kohn: This project has been approved conditional for cross walk, signage, striping's, which most have been done. At the time there was an approval for three story addition to building D as well as other minor additions which have been approved and the planning board signed the map in March 2019. These additions, some have been done, but the big addition hasn't been done since, so its showing the previously approved. Then it shows the pool, this application was in front of the board in June 2019, we did have a public hearing for the pool as well but no one showed up and the planning board closed the public hearing at that time.

Arthur Rosenshein: Hopefully when Helen looks it over it will be simple.

Irv Newmark: Joel, the pool is going to be enclosed, I'd like the enclosure to look good.

Joel Kohn: The pool will be probably 300 feet from the road. Its going to match the cream and brown color and other pool fence for the other pool.

Paul Lucyk: Do you have a picture of the plan?

Irv Newmark: Good, its not close to the road.

Paul Lucyk: There's a road to get in so if they need an ambulance they can get to it.

Joel Kohn: Yeah also a 12 foot axis to the back for the filter room and everything else.

Mollie Messenger: Ken will have to review the connections. I don't know that theres a lot to review, just need to make sure everythings going to be connected alright.

Arthur Rosenshein: And hopefully Helen will come back with a report and we can go ahead with it.

Mollie Messenger: Helen I'm not sure if you saw in the drawings but a long time ago the ZBA decided they could use the REC zoning because theyre non-conforming to the use. The table should be updated, Joel, I'm not sure that it is. I didn't see anything under "proposed" in the table so you should update that.

Jay Zeiger: I'm not quite sure what youre asking Helen to look at.

Arthur Rosenshein: I am not sure how many things we have approved with conditions on this property. I want to make sure that everything is in order.

Jay Zeiger: So you need her to pull together all approvals and compare whats on the map with what is approved?

Paula Kay: And make sure the conditions have been met.

Helen Budrock: I'll put together a summary memo. I'll get together with Mollie and get some historical documents which is good for the record and make sure conditions have been met so then we can move ahead with the swimming pool which is fairly minor.

Joel Kohn: We did already receive DOH approval for the swimming pool plans so once the Planning Board grants approval we hope to get it done before the summer.

Jay Zeiger: Helen would you be ready for February?

Helen Budrock: Yeah.

Jay Zeiger: Okay we will make the request to be on the agenda for February and Helen if you think a resolution is appropriate then please do what you do best.

Helen Budrock: Okay.

Bucky Loucks: Joel, I know you're asking for the pool but you're asking for the additions you have there?

Helen Budrock: No, those were previously approved.

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Bucky Loucks: Okay, alright.

Helen Budrock: I will summarize that as well.