

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

TOWN OF FALLSBURG PLANNING BOARD MEETING

July 8, 2021

In Attendance: Chairman Arthur Rosenshein, Gary Tavormina, Paul Luyck, Irv Newmark, Bucky Louckes, Cody Vegliante, Planning Board Members, Mollie Messenger Code Enforcement, Helen Budrock Town Planner, Hayden Carnell

Arthur Rosenshein called the meeting to order at 7PM.

ARTHUR ROSENSHEIN: Would anybody make a motion to accept the minutes from the past meeting?

Irv Newmark: Motion.

Paul Lucyk: Second.

ARTHUR ROSENSHEIN: All in favor. Now for the public hearings. When somebody makes a comment and you are here for the same reason, please don't completely repeat what is said. The other thing, the public hearing is for us to hear you.

PUBLIC HEARING: 1 JOHN MAKOVIC/MAKOVIC TOWNHOUSE – SBL# 35-6-1.5

Glenn Smith represented.

Glenn Smith: John owned the piece of property at Main Street and Waldorf. We were here at the last meeting, what is being proposed is six town houses on the property. The last plan shows the driveway. Some supplemental zoning clause for townhouses in this district would be locate it closer to the roadway. We took the plan from last month and moved them forward and put the parking behind the unit. This is a blow up of the townhouses. This is one tax map number. Its 13 feet and when you get to the back it narrows down so it is thinner than most town highways then I've seen in the past.

ARTHUR ROSENSHEIN: Anybody want to speak?

Kathleen Sullivan: We couldn't hear anything.

Mollie Messenger: It's the same presentation as last time. The change in parking is its now in the rear lot. And a sidewalk.

Glenn Smith: The sidewalk is along the edge of Waldorf. A short sidewalk going to each individual unit. The entrance is still on Waldorf. The entrance off of Main Street would be a safety hazard.

Kathleen Sullivan: At the last meeting some of the members weren't familiar with Waldorf Avenue.

Mollie Messenger: Several said yes.

Kathleen Sullivan: Not all of them. This project is not in harmony with Waldorf Avenue. It is unique, special to us, everyone takes excellent care of their properties, were all good neighbors. John isn't taking

care of the properties he has on Main street. we have pictures, it doesn't get mowed. And snow removal, when the plows come down because of the width of the road they are only able to plow one lane. We have school busses, fuel trucks, post office, its not a through street, it's a dead end. Theres no place to go when theres a snow bank and a car coming at you. We have more pictures if youd like to see them.

Shannon Porter: I'm a resident on Waldorf Avenue, I'm a single mom and I would welcome development coming to the area, my concern is the magnitude to how many houses are being put in that small spot. It's a communal driveway but youre looking at 12 spots plus visitor parking, it seems like a lot of people in a small space. One of the exciting things happening in Hurleyville is the collaborative school, my children are excited about walking in the town of Hurleuville and being able to walk up Waldrof Avenue with their friends to go to school; they ride bikes and scooters. As a person thinking of how many people were bringing onto this tiny road, bringing 6 duplexes is already doubling the amount of people who live on this road already. I am not opposed to development in any way but safety as a parent is my primary concern and I'm not thinking it is going to be 6 local families who know how we are in this small town. My concern is safety, they ride scooters and play basketball and ride bikes. If somebody is visiting and misses the road the rest of us will be affected by the increase in traffic, even though it is at the end.

Mollie Messenger: Thank you, anyone else?

Donald Morton: I agree with Kathy's point about the plowing of the snow. This is Joyce Maxwell, who I live with. We do have to pull to the side with snow or anything else including snow, delivery trucks, garbage. A point I've not heard, if you're turning to Waldorf as it is with the limited traffic, I've been stopped on Main Street and youre on a blind turn on a hill. Youre doubling down on that problem of creating traffic on that 13 foot road with people who are shooting into town. Usually people are driving faster than the speed limit, right by the firehouse. It scared me, it is also a bus stop for our kids on the corner of Waldorf Ave. I'm concerned about that, just taking them and our dog for a walk is sketchy without a sidewalk. I cant see on the board where the proposed sidewalk is, but I think a sidewalk is a great idea.

Mollie Messenger: The entire frontage of the property would be sidewalk.

Donald Morton: Does that include going down past Party Master if cars are coming into town? Both sides?

Mollie Messenger: Just the side with the property.

Donald Morton: Moving to Waldorf, we love that it is a quiet street. we have a basketball hoop, the kids can play safely unsupervised and we'd like to keep it that way.

Denise Sullivan: My first point – last meeting Glenn Smith commented the feet being 16 feet wide. I know its been mentioned before but it is 13 feet wide at the road frontage. Sidewalk or no sidewalk, we cant have two cars pass eachother. We've all got pictures of our car with four feet next to them ant that's all there is. Sidewalk or not it does not increase the width of the road, right at the property theres a tree and telephone pole on one side, Party Master on the other side, none of that being movable. The street is narrow and the houses are old, so some of the front steps are stepping onto the road and there are old developments like that but theres really no room to widen the road in any way. Its extremely narrow. We have a lot of FedEx, UPS in addition to fuel trucks and deliveries and it is narrow. You do get

stuck on Main Street when turning into this road to turn out. The other day one of our neighbors from Main Street parked on our road, and it narrowed the road even more so barely one car could get by, let alone two. It is a dangerous situation as is, without the addition of 12 cars and more for guests. 13 feet, we have a picture with a measuring tape, come down and measure if you'd like. Last meeting, a point I feel like it got ignored, but the board can only consider what it is being told. John indicated he's using the garage on Cunes Road only for storage. The town told us there is no COI, but as recent as this afternoon you could hear them working on vehicles inside his garage without a CO. This appears to be the reason why you pay so much less in taxes on this, unlike Behans, because it wasn't completed therefore there's no CO, therefore, therefore. It is a problem, we pay full taxes on our properties. Also on Cunes Road, we have road frontage for 17 Waldorf, it's no secret my husband and I are landlords to there and other houses on the street. We bought and renovated the properties and were so happy to have the families that we do living in them, on a safe street. But right now our road frontage on Cunes is again occupied by John's vehicles that have no license plates on them, various storage there, and we have spoken to him about it before. I am concerned with those types of patterns being the way. We supported that business and it's been years since it's been approved and it's been over a year since that building permit had expired and literally there's no doors, you can see people in there working. Again I wanted to share you can only believe what you are being told. It doesn't take a rocket scientist to see and look at what's going on there. The property is not maintained, the grass is three to four feet high, which does cause a hazard turning onto Main Street because of the tall grass. The only people taking care of it was my husband and Son Smith's son-in-law and they stopped doing that so it gets no mowing, nothing. It's a hazard. Once again, we had the addition of Fortress Bikes, we welcome that, it's a great little business, a perfect fit to where we are. The piece of property here is maybe suitable for a single family home, maybe a duplex, but this project doesn't fit its just too big. Too big for the property size, the street and it is not in line with the character and situation we have on a tiny dead end street.

ARTHUR ROSENSHEIN: Thank you. Anybody else? We have a letter, we don't have the time to read the whole thing, basically it says the narrow roads, the snow plowing, the dangers of pulling into Main Street, the project being undesirable. They strongly oppose the location. Any other comments?

John Makovic: The first building had no power, no sewer, nothing hooked up to it. The other thing mentioned was Cunes Road, which we are not talking about. That land now belongs to the Center for Discovery. It's important that gets brought up because it was \$500K dollars to get a new road cleaned up from what it was before.

ARTHUR ROSENSHEIN: That ends the public hearing. It will come back on the agenda.

PUBLIC HEARING: 2 ANGELICA RAMIREZ – SBL# 59-1-37.2

Angelo Ramirez represented.

ARTHUR ROSENSHEIN: They own SBL# 59-1-37.2, 116 Grand Street Road, it has 10.5 acres and they would like to add a second lot on the property. We'd buy a piece and we'd like you to consider adding it.

Brian Atkinson: What are you able to subdivide?

ARTHUR ROSENSHEIN: The acres and the rest in here, so it would add 6.1 acres. It would be easy to make a road here.

Henry Demino: How would they enter the property? I know where the house is.

ARTHUR ROSENSHEIN: Let me understand, you have a piece of the house with a driveway now.

Henry: Opposite side of the road. Parking is on the road.

ARTHUR ROSENSHEIN: Is there talk of getting the six acres?

Henry Demino: Mountain climbing and a stream. I think they did a great job renovating but theres lots of garbage and every time they cut it goes down to my house, so theres an impact. He's going to have to blast.

ARTHUR ROSENSHEIN: Thank you. Anyone else? Closing the public hearing.

PUBLIC HEARING: 3 HITEN & JATIN PATEL – SBL# 32A-1-43

Glenn Smith represented.

Glenn Smith: This is the former project in Hurleyville a couple years ago, Main Street Hurleyville is here. Mr. Patel bought lot 1&2 and consolidated them to a parcel of 1.75 acres years ago and built a house on the upper parcel. Now they would like to build a second house for the parents on the property but they cant because you cant build two houses on a single lot, so they want to put it back to two parcels.

Paula Kay: How long ago was that original sub division.

Glenn Smith: Probably 2010. Then they were combined several years ago. I checked with the County, if its more than five years, I need to file with the county.

Paula Kay: Okay.

ARTHUR ROSENSHEIN: Thank you, comments, questions? Public hearing is closed.

NEW BUSINESS: 1 HITEN & JATIN PATEL – SBL# 32A-1-43 - Requests a two lot sub-division. Zone: AG. Acres: 1.75. Location: 19 Kile Farm Rd., Hurleyville.

Glenn Smith represented.

ARTHUR ROSENSHEIN: Paula, what is the zoning right now?

Paula Kay: AJ.

ARTHUR ROSENSHEIN: We don't have authority.

Mollie Messenger: It was rezoned. We put them in the AG district because the Center stayed AG and they did the abandonment. Then the whole thing became AG.

Glenn Smith: Would that be an area variance?

Paula Kay: Area. You could argue maybe but it is area. Not too high of a threshold.

ARTHUR ROSENSHEIN: We cant move on this.

Glenn Smith: Rejected. Thank you.

NEW BUSINESS: 2 RALEIGH COTTAGES – SBL# 60-1-56.2 – Requests site plan modification to existing cottage #1. Zone: PR. Acres: 24.71. Location: 712 Heiden Rd.

Glenn Smith represented.

Glenn Smith: The owner of the Raleigh wants to put a one story addition on unit #1, closest to the hotel. The second shows a bedroom, living room and study. There is modification from several years ago. The small version has more information.

Mollie Messenger: I had asked Glen to add the parking to the unit for the original. It wasn't installed like it was put on the site plan to unit #1. The individual had asked for wheelchair access and handicap ramp so obviously they are going to need paving. The sidewalk there, and I believe is flat, but it is high up there.

Glenn Smith: Which part?

Mollie Messenger: All of it.

Glenn Smith: Its level so the ramp that is shown is a long ramp with a 30 foot section.

Mollie Messenger: Not a parking spot closer to his house?

Glenn Smith: We can tweak to get it closer to the house.

Mollie Messenger: Its up to the board, but that's the reason that Glenn had modified it.

Gary Tavormina: Do we have medical backup that this is necessary?

Mollie Messenger: Not that I asked for, no.

Gary Tavormina: We should have it in case someone needs the same thing. I am not saying it shouldn't be done. But we can have medical backups because we are setting precedent.

Mollie Messenger: With planning board approval whether the person is handicap or not, a person could ask permission. The reason they want to go with #1 is because there is plenty of space on that side. The rest of the cottages are tight so there isn't room to put an addition on the side of them.

Mollie Messenger: You do want to look at how the handicap features are here because the person is handicap.

Gary Tavormina: We will cover that in the building department.

ARTHUR ROSENSHEIN: What part of the original site plan was completed?

Mollie Messenger: just the parking, it was supposed to go to unit 1, so it is in front of every cottage. Small incidentals but nothing huge, there was a catch basin that Glenn has on the plan.

Glenn Smith: Along the parking. There's a drain line in the front parking lot side.

ARTHUR ROSENSHEIN: Has code enforcement looked into the building design?

Mollie Messenger: Not in length.

ARTHUR ROSENSHEIN: You don't anticipate difficulty?

Mollie Messenger: No, the only thing is that the tennis courts seem closer to this than it shows on the plan and there is no fence or anything. I'm not sure if you're protecting the houses from the courts.

Glenn Smith: The courts are quite a ways away. I showed grading.

Mollie Messenger: I think you'll be closer. It definitely goes up the bank there.

ARTHUR ROSENSHEIN: do we want to change it on the site plan?

Mollie Messenger: That's up to the board.

Glenn Smith: If we show the parking spaces on the new plan, that's what you're looking for?

ARTHUR ROSENSHEIN: If you're revising the original that's fine – just finish.

Paula Kay: Contingent on the parking?

ARTHUR ROSENSHEIN: I believe we don't need parking. The completion of the cluster. Can I have a motion?

Irv Newmark: Motion.

Paul Lucyk: Second.

Mollie Messenger: Arthur I want to make an amendment. You're talking about not completed to what it was on the plan but the number of spaces?

ARTHUR ROSENSHEIN: Right.

NEW BUSINESS: 3 ANGELICA RAMIREZ – SBL# 59-1-37.2 – Requests a two lot sub-division. Zone: REC. Acres: 10.39. Location: 116 Spring Glen Rd.

Angelica Ramirez represented.

ARTHUR ROSENSHEIN: One of the things we have to do is make sure they use a

Angelica Ramirez: There's enough clearance to make a driveway. all the way at the end.

ARTHUR ROSENSHEIN: You'll have to come back. I understand what you're doing. Have you thought about the corner of the map, the piece on the other side of the road – do you have a reason for that piece?

Angelica Ramirez: no that's the only reason.

ARTHUR ROSENSHEIN: If you go to the ZBA and explain to them what you're doing, and ask for an area variance on the two pieces. If the members agree with me, I would say to the ZBA that we agree, it makes more sense.

Irv Newmark: Fine by me.

ARTHUR ROSENSHEIN: We will write the ZBA that we believe this to be a good idea to keep the piece as part of it all.

Angelica Ramirez: That sounds good. Probably an option is to ask a surveyor to make one lot instead. I just want a lot with a house and a second lot at the other side.

ARTHUR ROSENSHEIN: Maybe they'll give it to you. That's what you should apply for.

Angelica Ramirez: I agree with you.

ARTHUR ROSENSHEIN: The zoning board will check sewer.

Paula Kay: And report back to the planning board.

NEW BUSINESS: 4 I. NIKLACH (ABRAHAM MIZRAHI) – SBL # 39-1-27.2 - Requests site plan review to replace an existing building. Zone: B. Acres: 2.75. Location: 5708 Rt. 42, Fallsburg.

Abraham Mizrahi represented.

Abraham Mizrahi: I am representing my customers bungalow colony. The upper side of the bungalow colony they want to add building A to the colony as a community room. He wants a bigger community room. He is asking for a basement and first floor, and keep the bungalow the same layout, but keep the basement as the community room. The second floor would be open to the bottom and basically adding a basement to the building. No change to the bedrooms or building. Instead of 500 square feet, we need the basement. It would be open to the public, the basement floor is the community room.

ARTHUR ROSENSHEIN: What about #2?

Abraham Mizrahi: #2, building B, there's a bungalow 52x55 roughly. Next to it on the left hand side by Route 42, there's a new building which was built in the past ten years which has two floors plus a basement. It needs some repairs. We discussed tearing down the bungalow and building a new one, same layout same concept, two floors instead of one floor. Four bedrooms.

ARTHUR ROSENSHEIN: Mollie, any violations?

Mollie Messenger: I am not sure of the last time code was there to do an inspection, I think it has been several years.

ARTHUR ROSENSHEIN: That's where we want to start.

Mollie Messenger: That's fine.

ARTHUR ROSENSHEIN: They would be matching the footprint but you're adding floor space.

Mollie Messenger: You're looking at everything. The issue with the other one is you can't add a second story to a bungalow colony, so you'll have to reject this to go to the ZBA also.

Abraham Mizrahi: With getting rejected on the second one, which is a bungalow, and using the same foot print do I go to the building department?

Paula Kay: I think still come back here.

Mollie Messenger: Not changing the use, just reconfiguring the space. I don't know that you would need PB approval if you were doing that one community room.

ARTHUR ROSENSHEIN: Are you withdrawing the second one?

Abraham Mizrahi: I can come back. I will have to go to the building department for a full inspection.

ARTHUR ROSENSHEIN: Go to the ZBA.

Abraham Mizrahi: It won't be for next month.

ARTHUR ROSENSHEIN: We're done.

Paul Lucyk: Can we see what the building will look like?

Abraham Mizrahi: Yes I will get that. Thank you.

NEW BUSINESS: 5 WESTBOURNE ESTATES – SBL# 21-1-42.1 – Requests conceptual review to change the original approved site plan from 152 apartments to a duplex development with 101 units. Zone: R. Acres: 102. Location: SR 42, Woodbourne.

Michael Reilly and Jim Bates represented.

Michael Reilly: We're looking to discuss where the apartments and town houses were approved.

Jim Bates: The Bogan property is now included in this.

Michael Reilly: This assumes we'll be able to acquire 15 acres of land from Lansmans and build up Route 52. We've reconfigured this as a duplex development. Originally the old approval had 152 dwelling units, 3 bedrooms. This plan has 101 units, mostly doubles with just four singles and a care taker. The green line is the sewer and water district line. Previous approval, all the buildings were inside of this. Now we have 19 doubles that are outside of it. The developers were thinking that we would redevelop this as a duplex development instead of a town house/apartments and try to stay at the same number of bedrooms, which was 456. Right now we have 101, if we had all 5 bedrooms it would be 505 so we need some way to match that number. We're here to get your feelings.

Jim Bates: This is a rough sketch plan, the engineering hasn't been done on it. Is this something that you'd consider.

Jim Bates: At the environmental impact stage, they were figuring the apartment rentals and town houses market rate, and market rate doesn't appear to be coming this way. It's a financial situation with this.

Gary Tavormina: Is there enough sewer capacity for whats not in the district?

Jim Bates: It's the same volume as previously approved. That was a discussion with staff, we couldn't build basements on certain units because if they become bedrooms, some of them will be slab on grade.

ARTHUR ROSENSHEIN: You mentioned earlier the environmental issue.

Jim Bates: It is a financial situation and we know we will have to modify the original approvals and update with EAF or those aspects.

ARTHUR ROSENSHEIN: Helen, was there an issue like that?

Helen Budrock: There's a similar situation like that in Thompson. What they did when one component had changed, instead of coming to us the consultants basically did a memo that in the next areas that should be identified and did a side by side comparison. The old proposal, how its been mitigated, and the new proposal. It's a way to track and compare and then the board can make their decision.

Paula Kay: That's a good approach.

ARTHUR ROSENSHEIN: It is a major change, but not.

Jim Bates: The only rental would be staying with the original apartment complex.

ARTHUR ROSENSHEIN: This is going to be contingent on getting the 15 acres and the vote of the town board for a sewer water extension.

Michael Reily: And the rest of the land in addition to the 15.

ARTHUR ROSENSHEIN: How do we feel about it?

Irv Newmark: I don't see a problem.

Paul Lucyk: If it's the same sewer and water that's fine.

Helen Budrock: What might be the next step?

ARTHUR ROSENSHEIN: We in a vague way will say theres not a lot of commitment to make.

Jim Bates: That's what we wanted to know. Theres an agreement in place with the neighbor on the 15 acres that mentions the town board extension of sewer and water.

ARTHUR ROSENSHEIN: When is the --- (zoom disconnect)

Jim Bates: The last time I heard was October they were hoping to start coming in. There are some irritated homeowners because they all sold. They keep being told they are coming but its not happening.

ARTHUR ROSENSHEIN: Patiently go ahead and acknowledge that

Jim Bates: Thank you.

OLD BUSINESS:

- 1. CENTER FOR DISCOVERY – SBL# 35-5-14.1/ & 19 – Requests a lot line change. Zone: MX. Location: CR 104, Hurleyville.**

Glenn Smith represented.

Glenn Smith: This is for a lot line change in Hurleyville, the Center for Discovery owns a lot of land. This is where the Makers Lab is, in the green parcel, its about 1.2 acres. And the small piece in pink. We'd ilke to move the lot line. That would put the green from 1.2 to 1 acre. The hearing is following 239 review, the county sent a letter and this is exempt from 239. I am asking the board to make a decision on the lot line.

ARTHUR ROSENSHEIN: Board, questions or comments? Motion for approval on the lot line change?

Irv Newmark: I'll make it.

Paul Lucyk: Second.

ARTHUR ROSENSHEIN: Ayes have it.

Glenn Smith: Thank you.

- 2. JOHN MAKOVIC/MAKOVIC TOWNHOUSE – SBL# 35-6-1.5 – Conceptual site plan review for a 6 unit townhouse building. Zone: MX. Acres: 0.527. Location: Waldorf Ave., Hurleyville. Cross Roads: Main Street.**

Glenn Smith and John Makovic represented.

ARTHUR ROSENSHEIN: Did you think about parking?

Glenn Smith: The code requires two parking spaces per unit per home, then half a space per visitor which would be anther three spaces. Tight for that so we asked for a waiver.

ARTHUR ROSENSHEIN: did you measure it?

Glenn Smith: Probably less than 300 from the closest parking.

ARTHUR ROSENSHEIN: I believe the language for the waiver is less than 500 feet.

Glenn Smith: Yes, it is.

ARTHUR ROSENSHEIN: That's the easy part. The hard part is that road, what to do about it. it's a town road but in the past it was not doable because it was not safe – not saying that's what were doing here. How much of the front of the property belongs to the town road?

Glenn Smith: The right of way is shown basically 30 foot.

ARTHUR ROSENSHEIN: The town has a right of way for private roads, I don't know what that would do to your project.

Glenn Smith: If the road was widened one side we could get to 17 feet.

ARTHUR ROSENSHEIN: I think that's the best solution if we can get it.

Irv Newmark: The sidewalk has to be up.

Bucky Louckes: If theres gravel people can walk on the shoulder but its not safe. On the one side closer is Gips warehouse which is relatively close to the road.

Hayden Carnel: The only questions we had- snow storage by Main Street. How would a truck turn around, back all the way out? cars will be parked in those spaces. At the other end of Main Street at the top there.

Glenn Smith: Where I show snow storage on the top corner, we could probably back in there but it is an 18 foot space there.

ARTHUR ROSENSHEIN: So a 16 foot road you rhink?

Glenn Smith: 15, 16 feet, theres room for it yeah.

Hayden Carnel: How are the residents going to park? Theres a back door but how do they get to the front? Theres no sidewalk connecting parking.

Glenn Smith: They would be treating the back almost like the front.

Helen Budrock: Would the parking allow to enter the building at the same level?

Jim Bates: Yeah.

Glenn Smith: That's supposed to be cut back with the retaining wall. People are going to park in the garage and actually go in the back and don't need to walk around the building.

Hayden Carnel: From the drive way, would there be landscaping?

Glenn Smith: Plenty of trees and shrubs.

Hayden Carnel: What about the water and sewer connection?

Glenn Smith: For the first phase we have individual water service and sewer lateral. This is not a final plan.

ARTHUR ROSENSHEIN: The entire comment period had taken up the road. You'll have to go to the town board. Especially with 13 feet and 16 foot by the road.

Hayden Carnel: Really need 18 feet.

Jim Bates: Clearly theres traffic going down the road, we cant control who is living there. What if we happened to do a swap and brought this closer, flipped it around. What if we move the entrance to the beginning?

Helen Budrock: If someone's making a left hand turn, they would have to do wide and sharp, especially for emergency vehicle access, I don't think they would be able to do that. I think one of the things the board should be reminded of is town houses are special permit in this district so by right Mr. Makovic

could build a single family home on that half acre lot without having to come to the planning board, so the fact that he wants to build six town houses, he needs to bring that into consideration with standards for special permits. Meaning suitable for the particular location for the attributes of this site.

ARTHUR ROSENSHEIN: What do you think about the road idea?

Helen Budrock: I think any widening would be helpful, but I'm not sure that even with moderate widening you'd be able to address the safety. Certainly a good idea, but not sure it would be 100%.

Paul Lucyk: They have a 5 foot sidewalk, who would be responsible for cleaning it and what would they do with the snow? And when you get 20 feet off of the main road theres nowhere to go, it has to be moved. Second, the parking, how far is the parking form the back of the building and is there windows? I don't have a rendering. People can back into those spaces but it would be hard because you cant really make a turn. Is there a problem with carbon dioxide going into the buildings?

Glenn Smith: Parking spots are a couple feet back from the building. Itll be an entrance and make a separate way into the building. There would probably be windows someplace.

Paul Lucyk: Theres six units, is it possible to have 4 units?

Jim Bates: It doesn't work financially with town houses. We did propose a single four unit building but because it was in the MX zone, because of the zone as a four unit rental building it didn't fall within when we went to the zoning board we notified the neighbors but as a for-unit rental building the construction is different than town houses. It would be doable but as town house structures it doesn't work. ZBA turned it down for a four unit multifamily.

ARTHUR ROSENSHEIN: Board, if we got the 16 feet would that be enough?

Hayden Carnel: Ken noted an 18 foot pavement minimum with 20 foot clear for emergencies should be required for a town home.

ARTHUR ROSENSHEIN: on the othere hand we are dealing with less.

Jim Bates: Currently there is 14 foot of pavement, 16 clear space. Looking for four more feet.

Mollie Messenger: Can I suggest you have Kens traffic consultant look at it? See what he says.

ARTHUR ROSENSHEIN: That's a nice way of doing it to get more detail. What I am looking at, is it is an improvement if we do it, but enough to make it worth while? We could get the consultant to give the report. Board, before we waste their time, if we can achieve the widening of the road could we entertain the project, or are we wasting their time?

Irv Newmark: I have no problem with it.

Paul Lucyk: What about the utility pole? Can that be moved?

Bucky Louckes: The utility pole cant be in the way. It is not in the way currently.

Paul Lucyk: It would have to move or everything would have to go underground.

Helen Budrock: What you're suggesting is widen the road to meet the town specs based on the engineers analysis.

ARTHUR ROSENSHEIN: Yes.

Glenn Smith: Coombs road, by the mobile station, the next road up is 16 feet wide. Railroad Avenue is 15 feet wide. Cole Street, is 16 feet wide.

ARTHUR ROSENSHEIN: Similar to the roads in the area. How about we get the report. We'll see what the engineering allows. There is something to the argument that the roads are that wide.

Bucky Louckes: But they were built in 1939.

ARTHUR ROSENSHEIN: Lets see the paperwork.

Paul Lucyk: What will they do with the snow, especially on the other side by the building.

Jim Bates: We do the same thing right now, we can work together with the Center for Discovery, as far as cleaning. They have trucks practicing on their side and I on my side and we work together. Not that they cant be, but they aren't intended to be sold, I will be in control of all of that. They are going to be town houses but snow would have to be hauled out if there is a heavy storm like many others. I have another consideration – if the board feels that the 4 unit multifamily that was initially denied, id be open to reconsidering the 4 unit if the board would give a nod for me to go back to the ZBA.

ARTHUR ROSENSHEIN: It would be interesting to see what the neighbors say.

Helen Budrock: Paula, once you get denied can you go back and ask again with the same proposal?

Paula Kay: Under code they would first have to reflect and they can choose not to.

ARTHUR ROSENSHEIN: Perhaps they will have less objection.

Helen Budrock: It would still have to meet the use variance conditions.

Bucky Louckes: Next step is to get something from Keystone?

ARTHUR ROSENSHEIN: Lets see what is possible.

Jim Bates: In the mean time can we ask Zoning if they would look again?

Paula Kay: You can go to the ZBA but you wont be put onto the agenda until after the next planning board meeting.

Jim Bates: We would still move forward with this, I would have to move the numbers. I wouldn't want half dozen angry neighbors.

ARTHUR ROSENSHEIN: The big deal is the road, lets see what happens.

**3. HAMLET AT LOCH SHELDRAKE – SBL# 18-2-12.1 – Continued review for a townhouse development.
Zone: MX/B. Location: SR 52, Loch Sheldrake.**

Application not heard.

4. AKERA – SBL# 6-1-4 – Requests site plan approval for a Retreat with agricultural components such as chickens, goats, alpacas, fruit orchards, flower and vegetable gardens. Zone: AG. Acres: 123.5. Location: 2299 Ulster Heights Rd., Woodbourne. Cross Roads: SR 42.

Jacob Billig and Michael Reilly represented.

Jacob Billig: We were here last month. This is a property that was approved by this board in 2007 for a religious retreat. You have the site plan of existing buildings. We went through SEQR, got site plan approval and it has been operated as a religious retreat since 2007. My client is looking to operate it exactly the same way with the same buildings. Mollie asked for the ZBA's use variance because the use of retreat is not of use now, the ZBA two weeks ago granted our use variance to allow for a conference center and Air BnB. The only difference that this project is going to have is some farming at the beginning of the property. The farming will be farm to table for the guests who come and small farming operations. The other change is they want to add a small geodesic dome, 16 foot, pretty small.

Paula Kay: The zoning board saw that.

Jacob Billig: Yes, saw the same site plan. There was 239 review before the ZBA, they had no objection, they actually referred it to the DPW as well as the counties agricultural and farmland protection bureau. The county submitted a 239 review basically the same way, it was received to day and they said local determination. We're back here tonight to get site plan approval for the religious retreat with minor agricultural operation and the addition of the dome. Some retreats might be yoga, or small lectures in the dome. Again, same number of people – 30-40. One of the things that was not finished by the current owner is the library. We will complete the library so it gets a CO.

Bucky Louckes: How big is the dome you want to put up?

Michael Reilly: Small. I brought this for you to look at.

Jacob Billig: One of the questions of the ZBA Steve Altman asked was the height.

ARTHUR ROSENSHEIN: One thing I want to read from the county review: Part 1, has the applicant proved to use the land for agricultural production with the intent to the Ag cultural district to maintain land? We recommend the applicant to Sullivan County CoOp Extension.

Jacob Billig: I appreciate the county staff for turning this around quickly.

ARTHUR ROSENSHEIN: You got ZBA approval. Its seasonal rental. Any violations?

Mollie Messenger: No violations other than the one building permit they have to finish, and they will put a building permit in for the dome. Jacob, did you have, garbage is a concern with that many people. is there central, garbage compactor?

Jacob Billig: With prior approval there has been no problem with garbage. The dumpster is there.

Mollie Messenger: There will need to be something. It is a unique property in that theres two different clusters so I didn't know if you were having two different areas or transporting garbage.

Michael Reilly: A dumpster by the main house.

Mollie Messenger: Is there a caretaker who is a permanent resident?

Michael Reily: There probably will be.

Jacob Billig: Prior was occupied and there was occasions when they will Air BnB. I cant represent the exact schedule but I asked and he said there would be some kind of care taker. We can verbally amend the site plan and add dumpsters enclosed for approval.

Mollie Messenger: You are going to eventually rent on Air BnB- there is a permit you have to file with the Building Department.

Jacob Billig: We will. And we have to register with the county for room tax. Were hoping to have 30-40 visitors.

Mollie Messenger: Is there going to be a sign on the road and 911 address on the road? For firedepartment purposes and all of that. I think you'll need a sign in the front then a side closer in to show emergency services what you have so I think you should show it with a map.

ARTHUR ROSENSHEIN: So the motion will be for site plan approval when completed agricultural components, the site plan will be centralized waste, and signage.

Mollie Messenger: And the transient rental permit, which is required by code anyway.

Paul Lucyk: Motion.

Irv Newmark: Second.

ARTHUR ROSENSHEIN: All in favor. Would you send me a copy of prior approvals?

Jacob Billig: I will send them.

5. Murray Bresky "Murray's Chicken" SBL: 52-7-8/21 - Requests Continued Review of site plan for Trailer Storage in the parking area. Zone: B. Acres:1.85. Location: 4 Trolley Rd.

Wes Illing represented.

Wes Illing: I got an email today of a survey map – Mitch was supposed to bring one over but if he didn't it was the licensed survey years ago. I have some hard copies. The building hasn't changed, we started with a pole bar, and there were issues with that so we went with a steel building. It was more structurally and aesthetically a better building. The building hasn't changed since our last meeting, what did change was we moved the building over a little bit. The town was concerned about along Lake Street theres no ditch. The water must back up onto Lake Street, so the town wanted us to put a shallow swale so we are going to take down the fence and put in a new swale so it goes up to the pavement to provide proper drainage so we can take runoff from the property and road. The consultant asked for that for the town and I thought it was anice improvement. We were planning on a manhole on Lake Street, but we changed that. The town wanted us to separate the trenches for the electric and water. Were running from the main building to the new building. We don't know what we'll do with water and electric but we want to put them in now and that is the way they do things. They don't want to chop it up later, they don't want to run conduit or change size of wiring later on – they have more flexibility.

Bucky Louckes: The planning board asked last time about the trailers. Where are they going to be?

Wes Illing: A lot of the trailers are used for finished goods. These are all refrigerated trailers. The number of them varies. There's some trailers that are in repair. They all have plates. Sometimes the guys in the yard work on the plates. There's service requirements. Hoping to use a section with electric for repairs.

You may have noticed we're cleaning up the site. As the company grows it kind of collected, but they are getting rid of the stuff and in order for them to make the site plan it all has to be gone. We changed the name of the project, we're basically taking two storage buildings that are in violation of setback requirements, demolishing them and creating one building which is the storage building for these trucks. We're taking these two-story buildings and turning it to one larger building. We're going to study the drainage so it all comes to a same direction and drains. We are able to gravity flow. On the sheet plan these are not live. On sheet 2 the town is worried about chicken feathers in their sewer plant. They asked about gravel stone and pieces of metal that might end up in the sewer. So what we agreed to was a steel grate in the center of the building that slopes into the center. The trench drain will have small holes in it and it won't affect the sewer department. Since we have electrical power we will put a shop vac and keep the perforated metal clean from anything. It protects the cavity. This is a simple solution and Murray's will simply use a shop vac. There was some confusion about the height of the building and what we wanted to do was show the clearance of the trucks and the height of the building.

ARTHUR ROSENSHEIN: This needs a public hearing, does it not? I don't think lead agency is required on this one.

Mollie Messenger: I don't think you're within 500 feet.

ARTHUR ROSENSHEIN: Public hearing and a report from our engineer to go over the whole design and whether the changes are acceptable for the next meeting. Site plan approval is probably going to stay that you need to clean the site before the CO is given.

Wes Illing: That's fine.

Mollie Messenger: Just request Helen to do a draft resolution for the next meeting.

Wes Illing: Is there any issues the board sees?

ARTHUR ROSENSHEIN: We need the engineering report. We would like to see what the building will look like.

Wes Illing: We sent this conceptual drawing to Essex and they went through it and gave a nod of approval.

ARTHUR ROSENSHEIN: At the next meeting, assuming the engineering is okay and there's nothing that comes from the public hearing it should be done.

Wes Illing: I haven't been able to design the footings yet so I don't know the load bearings yet are. I need to do those because they are trying to get pricing on that stuff.

ARTHUR ROSENSHEIN: Assuming it works with the engineering, if they say okay then the board won't second guess.

Mollie Messenger: Wes you will work with Denise to get all your addresses for your public hearing notice.

Wes Illing: Okay, I will call tomorrow and get that information.

6. REFUAH HEALTH CENTER – SBL# 50-5-15.2 – Requests special permit to add a portable fuel tank for diesel fuel. Zone: B. Acres: 2.33. Location: 36 Laurel Avenue, So. Fallsburg. Cross Roads: SR 42/Pleasant Valley Rd.

Jay Zieger and Michael Reilly represented.

ARTHUR ROSENSHEIN: What size?

Michael Reilly: 1200 gallons. It doesn't need secondary payments, anything under 1,100 gallons. What's highlighted green in the site plan.

Bucky Louckes: Where are you going to run the electric from?

Michael Reilly: We haven't thought about that yet, it's going to have to come from the building.

Mollie Messenger: Mike, I am sorry, I was trying to catch up. We have the gas tank there, parking in front, and busses there?

Michael Reilly: Yeah, I figured busses back in and because we will have more parking than we need then if we need we can park right here. I think there's 12 busses.

ARTHUR ROSENSHEIN: What size tanks?

Michael Reilly: No idea. Probably 1000.

ARTHUR ROSENSHEIN: The area in front of the parking is going to have busses –

Michael Reilly: I can stripe it differently, "no parking busses only".

Hayden Carnel: You have 8 extra spaces and 1 designated bus spot – you can change it with the size to bus parking that way nobody's parking in front of the tank.

Michael Reilly: I will take the advice on that.

Mollie Messenger: How is the tank secured away from parking?

Michael Reilly: We can put bollards around so nobody hits.

Mollie Messenger: They probably don't want people touching?

Michael Reilly: We can put a lock on it. usually there's a lock on a pump.

Gary Tavormina: I would secure it where it is because it is a crowded area.

Michael Reilly: The oil tanks are under construction. There is no need to move it.

Paula Kay: If we're showing it on the site plan that's where it's going to be. let's secure it and fence it and do everything.

Michael Reily: No problem.

Mollie Messenger: Will it be on a concrete slab?

Michael Reily: Concrete or gravel.

Mollie Messenger: Is that in the way of the fence that is already around the old school?

Michael Reily: Yeah it has to be rerouted.

Mollie Messenger: We have so many issues. I think it should be on concrete, and if going that far I think a lip is good for secondary containment.

Michael Reily: Okay.

Hayden Carnel: Our letter recommends, even though less than DEC guidelines, some sort of double wall tank or secondary.

Michael Reily: Okay.

ARTHUR ROSENSHEIN: The busses parking, secondary containment, anything else? Motion would be –

Mollie Messenger: Arthur, can we have an update on asbestos?

ARTHUR ROSENSHEIN: Motion for approval for everything on the site plan showing striping, the secondary containment, and motion for a special permit?

Bucky Louckes: Motion.

Paul Lucyk: Second.

ARTHUR ROSENSHEIN: Any against? The letter came in with what it would cost to take down that building. I don't know who pays for it but \$659,900.

Jay Zieger: That's an estimate. There are some funding opportunities, USDA loan that we have with representatives.

ARTHUR ROSENSHEIN: Tuned to be more complicated than we thought.

Jay Zieger: They currently don't have that kind of funding.

Helen Budrock: The USDA loan is probably always a viable option compared to other funding. They have many programs but you would have to have the numbers like demolition and construction.

Jay Zieger: I don't know how far of how much they know about the grant. I'll talk to them.

7. CONGREGATION CHESED SHEL EMES – SBL# 42-1-22.2 – Requests site plan approval to create a master plan for a cul-de-sac access drive into the central portion of the cemetery along with access walkways and paths throughout the existing cemetery.

Zone: REC.. Acres: 19.19. Location: 113 Old Turnpike Rd., Woodridge. Cross Roads: Bernsley Rd.

Joel Kohn and Mike Reilly represented.

ARTHUR ROSENSHEIN: Helen you are on this one. Do you want to open?

Helen Budrock: Since you were here in February can we get an update?

JK: We were here in February, we tried adding more detail. The grades have been reduced from 5700 to 5500 because of the grading and storm water. We have phase 1 which is a total of people on and the storm water facilities. Then on phase 2 is 1.39 acres. Phase 3 is 3.89 acres. I believe Helen looked at regulation, Mike Reilly as well.

ARTHUR ROSENSHEIN: Who owns this? Is it a separate item or part of the overall?

JK: Its an organization based out of Brooklyn I believe. We cant say what will happen 100 years from now, but this probably has 80,90,100 years before it fills up. They take good care of their cemeteries, they have one in Liberty.

ARTHUR ROSENSHEIN: IT is a large organization. It makes me aware we are looking way ahead.

JK: There are a lot of Jewish organizations that go back to their Jewish cemeteries and maintain them. I don't think itll be a problem.

Helen Budrock: As long as there is revenue streaming or something to keep it nice and adding on from a financial perspective.

JK: Every few years they do fundraising.

Helen Budrock: Do they do sales of individual plots and people have to send in a maintenance check?

JK: No. we would like to get conditional planning board approval on that subject to Keystones review.

Mollie Messenger: Did we get an answer on the SWIP and clearing?

Michael Reily: it'll be like any other SWIP. We wont clear the whole property. And a storm water component.

Mollie Messenger: Right, you'll file an NOI but will it be open forever?

Michael Reily: itll be built and finalized. We will build it. The design will be for full build out for it all to be built. Its like a design build out with multiple phases going into it. the pond will be built.

Mollie Messenger: What about when you have to go back and take the trees out on phase two?

Michael Reily: The pond is already there so it will be a basic SWIP.

Mollie Messenger: So file NOI then build that then file NOT and do that. I'm not sure where the board is at but we wither need to have the information on the plan or know how to regulate that from the building department perspective. Same was as owners of property, maintenance, emergency contact. We need soe regulatory action on it. theres no access to the rear plots, that big circle in the middle there, whats the plan?

Michael Reily: THeres one access lane?

Mollie Messenger: Is it big enough and how do you turn around?

JK: Its not like its being used daily. Theres 15 feet access.

Mollie Messenger: Until theres a burial and people have to get to the bottom. Why do you think put a cult de sac there but not in the back for the rest of the property.

Hayden Carnel: With the stone parking lot there will be a gate, so people might not be able to back all the way out. it might be for service vehicles otherwise theres no parking.

Michael Reily: Theres some existing parking now. Joel you agree there would be a gate.

JK: Yeah somewhere where they cant access the back of the property. There wont be a significant amount of cars on the property. It can be very quick and they can park on the road.

Mollie Messenger: I just don't think theres enough circulation on the plan.

JK: Theres no need for the circulation there.

Mollie Messenger: But there is – if theres circulation here there should be circulation on the rest of the plan.

Paula Kay: I am also confused why it is different in the back.

Mollie Messenger: Someone passes away. You bring the herse off and traditionally people carry that from the car to the gravesite. It is very far to get there from the circle to that back lot.

JK: Cars will be able to drive on the grass too.

Mollie Messenger: How? You need something else in the back there.

JK: Its been done, probably three different cemeteries that the box is put on something with wheels.

Paula Kay: What is the total distance all the way to the back?

Michael Reily: 400 feet?

JK: 300 feet?

Paula Kay: In the event of an emergency, how would anyone get in there?

Irv Newmark: Up near the road?

JK: Phase 1 will be closely filled out and they will start phase 2 so that it wont be freshly paved land.

ARTHUR ROSENSHEIN: But when trying to drive on grass in rain.

JK: It would be a gravel trap.

Mollie Messenger: Did you resolve the neighbor well issue? I didn't see anything.

Hayden Carnel: The wellhouse that is on the site, the service center.

Michael Reily: Not that I know of.

Irv Newmark: In the beginning they wanted to keep the well in case they had to was their hands. Theres a little well house and a shed. Two structures.

JK: The well is staying there. What issue?

Mollie Messenger: If the well is being contaminated and the neighbors are wondering it would be contaminating their well.

Hayden Carnel: The two story house because its 190 feet to the closest grave.

Paul Lucyk: How do you know about the water table?

JK: We don't know what the water table is.

Michael Reily: The one I did in Mamakating, was four of five times the size of this, and the surveyors set bench marks all over the place to get the exact rectangle.

Paul Lucyk: The problem is when they are so close and they eventually cave in it will be a mess.

JK: If theres going to be high water they wont be burying. I know that property very well.

ARTHUR ROSENSHEIN: The only thing were changing is the gravel road and two gravel slabs 200 circles from the well.

Mollie Messenger: Going to Pauls point, can you get anything in there to do the deep hole test to see if it is feasible to even have graves in the back corner? No. either there needs to be a note on the plan or something.

ARTHUR ROSENSHEIN: What wording would you like?

Mollie Messenger: I'm not sure, I don't think the site plan is fully complete. All of the things we just said. I know we disagree, you're the board, do what you think is best. Its up to you.

Paul Lucyk: Where the water is to make a swale deep enough to keep the water?

JK: There is a swale down there.

Michael Reily: We attempted to do that.

Mollie Messenger: What happens if the water comes in? nobody looked at the Topo on this. Or the water table, or wetlands.

Michael Reily: We can put a note on the site plan that during the digging of the graves to test the ground work pattern.

Paul Lucyk: But that wont change the one three foot over.

Michael Reily: I understand the concern but how do I find that out?

Irv Newmark: I never heard of that in a cemetery.

ARTHUR ROSENSHEIN: There are two items so far. The note on it about water is practical. If they hit water they go elsewhere, theres plenty of graveyard.

Irv Newmark: I go by there every day. Theres a lot of people there now already.

ARTHUR ROSENSHEIN: Anything else wed like to add?

Bucky Louckes: Motion.

Irv Newmark: Second.

Helen Budrock: Arthur I think this is probably unlisted action.

Paula Kay: I think so too.

ARTHUR ROSENSHEIN: Motion for lead agency type unlisted action.

Bucky Louckes: Motion.

Irv Newmark: Second.

ARTHUR ROSENSHEIN: Motion for a neg deck?

Bucky Louckes: Motion.

Irv Newmark: Second.

ARTHUR ROSENSHEIN: All in favor.

ARTHUR ROSENSHEIN: Motion on site plan approval.

Bucky Louckes: Motion.

Irv Newmark: Second.

ARTHUR ROSENSHEIN: All in favor. That's it.

8. MOUNTAIN ACRES – SBL# 42-1-11.-1 – Discussion of parking changes. Zone: REC. Location: CO Rd. 56, Mountaindale.

Michael Reilly and Jay Zeiger represented.

ARTHUR ROSENSHEIN: This is a complicated plan. I don't think we should do the whole thing tonight, too complicated. What is the inclination for removing the two to three spots where you had ten parking spaces.

Michael Reily: Over in the front and very back. the developer didn't like how it laid out with the rest of the development. The topography is going to prohibit where it drops off, then over there theres no houses near by. We relocated them. We proposed another parking area by the other side of the pools. Initially the hashed ones weren't there. The one by the second shul it has to be built, we have spaces near the back of that. We have the same amount of parking spaces.

ARTHUR ROSENSHEIN: Not necessarily in the best location. It's a long way away from where you need them. The location should be useful, not just checking the box. Because of the cavalier way this is being built I was going to ask that everything be tied down to the stone as to be what and how it'll be built. No open detail so when the inspector comes it'll be there instead of saying 'we decided not to do it'. you understand, if the detail is not on the map we will not approve it.

Irv Newmark: It's a good thing, let our engineers look at that. What and from where, and are the houses built where they are supposed to be.

ARTHUR ROSENSHEIN: And if you can get to the houses from the new parking.

Paul Lucyk: I took a ride up there. Where there are parking spaces that are parallel, if we came in there with parking spots and we had to get in there with a stretcher, there's no way. The sidewalks don't coincide with the parking. And on the other ones we looked there and they have walkways by the parking spaces. If you have a definite sidewalk that comes all the way to the road so you can get a stretcher in it would be nice.

Michael Reily: You want the sidewalk out to the road?

Paul Lucyk: It has to, if you pull in with an ambulance you need to gain access. If you have three parking spaces but you need to be able to walk from the well to the houses and you need to see where they stop the pipe is two foot from the edge of the parking lot. So if someone in the middle of the night someone goes to their car they're going to go right to the edge. There's no breakage, or berm or something. There were some spots that the spots are ten feet wide and plenty of room, but god forbid a person has an accident in their car, we can't open the door. They park right to the edge of the bank.

ARTHUR ROSENSHEIN: and they can't get out.

Paul Lucyk: They get out on roadside.

Michael Reily: None of that ever worked out initially. It doesn't show sidewalk from houses.

Paul Lucyk: Is this designed so they can go there in the winter?

Michael Reily: Yes, year round.

Paul Lucyk: But you can't have a sidewalk like that, maybe a stair case. You can't have a hump.

Hayden Carnel: Mike, B14 has a hump like that for example.

Paul Lucyk: I think also if there is a loop, somebody's going to not park by the shul so they need to have parking or they can walk.

Jay Zieger: There's two parking spaces near.

Michael Reily: Three really.

ARTHUR ROSENSHEIN: There's parking that has to be put in places it'll be useful is what we're saying.

Michael Reily: I understand.

Paul Lucyk: A8 and A9, that encompasses both sides of the unit. If you put four cars there then who parks there. Are A9 using parking lot across the street?

Michael Reily: A9 is across the street and A8 is parallel.

Mollie Messenger: I think they are not construction because it is summer season, were wrapping these things up and figuring them out. Hayden and Keystone are going through with the foundations and the foundations that are in and not correct either need to be corrected or brought back to this board again.

Jay Zieger: Not in the correct spot?

Mollie Messenger: Some are not in a correct spot already for the foundation so they need to be corrected or come back to this board so we can figure out exactly how to change. The ones in E are way before the road, I'm not sure that's where they should be. the others are in ledge rock and they are way high and the correlation, of which house is going on them so we don't run into the three story situation again.

Paul Lucyk: I was there today during the heavy rain and the catch basins that are in the black top are 8 inches higher than the water. Theres no point to have that if it is way too high where the water is following the road and running down.

Michael Reily :Where was that?

Paul Lucyk: I get confused with the names. But it was behind Road A on the C section. The catch basins were anywhere from B12 to B14 and higher than the road.

ARTHUR ROSENSHEIN: You wont have to worry about falling.

Michael Reily: I have a list of things we need to fix. For what it is worth, theres no sidewalks proposed anywhere here which is a problem, which I didn't do the original plans. When it came to elevations, all of the units were graded as if it would be fully depressed foundations, it was very generic. In the future if a developer knows he is going to be doing different elevation conditions it would be helpful having different details addressing the conditions. Same with sidewalks.

Paul Lucyk: Main thing is safety. We need emergency access and it is usually in the worst time.

Michael Reily: Thank you.

9. LUXOR JR. – SBL# 12-1-41.5 – Requests continued review. Zone: PUD. Acres: 41.62. Location: Maplewood Ave., Loch Sheldrake.

Jay Zieger and Randy Wasserman represented.

Jay Zieger: We have Luxor One, which was built 20,25 years ago, 30 year ago. We have Luxor 2, which was phase 1 of Luxor 2 and phase 2 is now in construction. Those houses sold so they are running out of room.

1: By way of location this is the existing Luxor Estates. This was the G section which was part of the amended site plan which was done three years ago.

Jay Zieger: That's where they were sold.

RW: Yes, then F was found here. This is Maplewood Avenue, this is the Buttercup Loop here and the lake in Loch Sheldrake. Coming off of the emergency drive coming in off of the main loop road of Luxor there are 100 homes here. During the public hearing it was 120(?) feet, at that time there was not comment on this. They had concerns about Luxor and some of the surrounding developments and the hydrogeology and a good comment was made by public which was: we all have SWIPS and meet our on-site requirements for storm water but sometimes in a populated area like this about the same time, each individual project might need their own individual requirements but when you add them all up to get to the final impact then what presently exists so the suggestion was made that we do a hydrologic study done of the total, including the project. The point of impact was the culverts that go underneath Maplewood Ave near the towns pump station because what happens there was some culverts that were oversized and making them back up into Evergreen Estates. Then the neighbors concerns about the hydraulics also. I think that was the point of the downstream design point. Keystone did the study and I am not sure the status but they are working on buying a larger single culvert to get the water under Maplewood and into Loch Sheldrake more efficiently. Subsequent to that Planning Board meeting we received comments from Keystone on the site design and SWIP, we responded to both comments and waiting to hear back from Keystone if they have more comments. I think were essentially done subject to the comeback. We did pressure tests, we have plenty of water with pressure and volume on the site. We made it dependent on the towns connection of system bypass for the construction of the culvert. That was divided by another line coming into the site, near to the site, that provided additional water volume to the area. We haven't been to the planning board but weve been to half dozen work sessions with staff and we do have to extend water and sewer districts. It was determined at last months meeting it would be subject to Planning Board approval. Extensions were approved in draft form. Theyre not final. That's where were at. At the moment I'm not sure theres more engineering.

ARTHUR ROSENSHEIN: When was the public hearing?

RW: August of 2018.

Mollie Messenger: I think you completed design that should go there. You'll need to work with the town board on the extension.

Paula Kay: 2018-2021 I think with the potential issues and drainage –

ARTHUR ROSENSHEIN: And a public hearing we don't remember.

Paula Kay: Right, I think it would be a good idea for the public to take another look at this project.

Jay Zieger: I think it is close enough to final that if the public asks about the plan we can tell them.

Paula Kay: When its completed and Ken is comfortable we can post it on the website and obviously you will get a copy.

RW: If theres something a meeting could do I would like to go back.

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Paula Kay: Hayden, would it be completed so that the town board can schedule a public hearing in August?

Hayden Carnel: I can find out.

Paula Kay: DO we want to wait and have the hearing in September then? And you can make any adjustments Randy?

RW: I prefer August, but whatever you agree on.

Paula Kay: This could constitute a good portion of comments.

Mollie Messenger: What I would propose is the public hearing in August and the August 5th which before the planning board I will put you on the work session agenda and then Ken and Hayden and I can hash things out for the 12th.

Helen Budrock: If you would make me copies of the file.

Mollie Messenger: It would be a good idea to go into the Building Department and leaf through the file because you know what youre looking for.