

TOWN OF PLATTEKILL
PLANNING BOARD
P.O. BOX 45
MODENA, N.Y. 12548

MARCH 12, 2013

THE PLANNING BOARD MEETING OPENED WITH A SALUTE TO THE FLAG BY
CHAIRPERSON CINDY HILBERT AT 7:35 P.M.

ROLL CALL: Chairperson, Cindy Hilbert, Vice-Chairman, Richard Gorres ,
Thomas Wilkin, Darryl Matthews, Katherine Beinkafner, Nathaniel
Baum

ABSENT: Ms. Mayle

Planning Board Engineer: David Clouser

MINUTES

February 26, 2013

MOTION: Mr. Gorres made a motion to accept the minutes with the following corrections:
Add: a moment of silence for Supervisor Bruce Loertscher. Page 1, change “insure”
to “assure.” On page 2, put quotations around yes. Bottom of page 2, change “get”
to “be.” Page 3, change “grading” to “turnaround.” Mr. Wilkin seconded the
motion. All eyes on the vote.

NEW BUSINESS

Paribelli-proposed three lot subdivision (Barclay Road)SBL#101.2-2-5.11

Ms. Brooks was present to represent the Paribelli application. Mr. Patrick Paribelli was also present. Ms. Brooks gave a little history of the application (see file for narrative). Ms. Brooks explained that they did have Board of Health approval on both lots. Ms. Brooks also indicated that she had responded to Mr. Clouser’s initial engineering comments dated March 2, 2012, (see file for Ms. Brooks’s response comments dated February 1, 2013). Ms. Hilbert asked which lot would include the private road. Ms. Brooks responded that she wanted to see what the board preferred. Ms. Brooks asked if the board would prefer to see all of the ownership of the road by one lot owner. Ms. Hilbert stated normally it would be shown as ownership under one lot, and then you would have a maintenance agreement. Ms. Brooks stated right now, the way they have it laid out it would be a separate lot, in common ownership by lots #1, #2 and #3 with a roadway maintenance agreement. Mr. Paribelli stated it is nicer if one particular person owns the roadway. Mr. Clouser went over his March 11, 2013 comments as follows:

Private Road Serving more than One, One-family Dwelling Unit-Mr. Clouser stated there are two dwellings on the front lot, and the Private Road only allows one single family dwelling unit per lot (see 118-4 (A)). Mr. Clouser stated it looks like there are three choices; to use a private road, you would either have to subdivide these dwellings off, and that would be difficult because of the setbacks; second, is an area variance; and the third option would be to make this a Town Road.

Water Resources and Wetland Permitting Requirements-Mr. Clouser stated that he looked at the permits that would be required, and that there would need to be a stream disturbance permit (the wetland area is within 50' of Black Creek). Mr. Clouser stated that he would like to have more information on the delineation such as;

- Indicating the methodology used to delineate the wetland
- Describe the type and condition of the wetland quality
- Describe the wildlife and vegetation, along with the potential habitats present during delineation. (Mr. Michael Norwicki should put a narrative together about the wildlife and vegetation) Mr. Clouser added that the board would need to have a Habitat Assessment.

Mr. Clouser stated that a filing would be required with the Army Corps of Engineers (see Mr. Clouser's memo dated March 11, 2013) and the applicant would be required to obtain a Water Quality Certification and provide a Jurisdictional Determination from the ACOE (to verify the limits of the wetland).

Additional Information Required-Mr. Clouser stated that a Drainage Analysis should be provided. Mr. Clouser indicated a Stormwater SPDES General Permit would be required and a Stormwater Pollution and Prevention Plan must be prepared for this project.

Turnaround Type-The Planning Board members reviewed an undated memo from the Highway Superintendent, indicating he would be amenable to allowing a cul-de-sac, as long as it fits better than a hammer head.

Site Distance-Mr. Clouser stated that the sight distance to the east from the proposed access road is less than the Town's standard of 350 feet. Ms. Brooks stated that she would take a look at that.

The Planning Board looked at the Building Department file on this project. Mr. Paribelli asked if there was any special circumstances that would allow the original driveway for his business to stay open without creating other issues. Mr. Wilkin asked Mr. Clouser if the Town Board would be the board to go for direction. Mr. Clouser answered that it would be the Zoning Board. Ms. Brooks stated at this point they would have two applications before the Zoning Board of Appeals. Ms. Brooks further stated that at that time they would apply for relief to eliminate the driveway on Barclay Road, because of the pre-existing structures, the locations of the garages and the ability to access them. Ms. Brooks stated that she would sit down with the applicants and figure out what applications they want to make before the Zoning Board of Appeals.

DISCUSSION

Lands of Rainieri-proposed multi-family site plan (South Road) SBL#102.3-1-6.111

Mr. Larry Marshall was present to represent the applicant (Salvatore Rainieri) and Mr. Robert Lockhart, who is interested in purchasing the property. The Planning Board members reviewed a basic sketch plan dated August of 2012. Mr. Marshall gave the board a quick over-view of the

history of the project, indicating they had a pre-application meeting with the Planning Board in June of 2011. (Mr. Marshall made a submission (and paid fees) to the Planning Department in September of 2012 and received initial comments from Mr. Clouser, Planning Board Engineer, on October 23, 2012). Mr. Marshall stated they read Mr. Clouser's comments and realized they missed a major sticking point, which was that the count for a multi-family is based on lot count and not dwelling count. Mr. Marshall stated that a multi-family development is not really feasible for this parcel based on the unit count that they would be capable of getting and what they wanted to do was to discuss with the Planning Board a couple of different options with the parcel. Mr. Marshall stated Mr. Lockhart would like to look at doing a conservation subdivision, he would like to try to do a four-family on proposed lot #2, and a four-family on lot #11, subdivide lot #1 off, and leave the remaining parcel as one building lot. Mr. Marshall stated that would be a total of ten units. Mr. Marshall stated that with the conservation subdivision, it allows you to reduce the lot area, the idea is to permanently reserve a large chunk of the land and attach it to one building lot. (see section of the code 110-48). Mr. Clouser asked Mr. Marshall who was going to own the land. Mr. Marshall stated it would be owned by the remaining parcel. Mr. Clouser asked if anyone other than the owner's would have access to the back lot. Mr. Marshall stated "no." Mr. Clouser read section of the code 110-48 (D)(2) " ...*At least 30% of the gross acreage of any conservation subdivision shall be composed of open space.*" Mr. Clouser also read section of the code 110-48 (2)(H)" ...*The Planning Board may also require open space linkages with adjoining properties, set-asides of active recreation area for residents and fronting of up to 50% of lots on open spaces...*" Mr. Clouser added that it didn't sound like that was happening here. Mr. Marshall responded that it was discretionary, the code says "may" not "shall." Mr. Clouser stated that it needs to make sense to the Planning Board, so the board has a lot of leeway there. Mr. Clouser stated he would have to take a look at the plan. Mr. Marshall stated they did four or five test pits to make sure that the soils were adequate, and they do not have any concerns with having suitable soils for the sewer systems. The board members reviewed the code for "cluster development." Mr. Clouser stated he remembered that there was cluster development in the old code. Mr. Marshall asked the board if they saw any major concerns in going in the direction that the applicant was looking to go. Ms. Hilbert asked Mr. Marshall if it was possible to get back to him, she would like to think about it, and read the code. Ms. Hilbert added that she was not prepared to look at it as a conservation subdivision this evening. Mr. Wilkin agreed. Ms. Hilbert asked Mr. Clouser if he would want a map from Mr. Marshall. Mr. Clouser stated that it would help. Ms. Hilbert stated that she and Mr. Clouser would take a look at the map and get back to Mr. Marshall.

***Mr. Marshall will submit a map in PDF format along with two paper copies. Mr. Clouser will get a paper copy of the map and the board members will get a map in PDF format. One paper copy will be placed in the file.*

RECREATION FEES

Ms. Hilbert stated last Friday she met with Supervisor Croce, Mr. Clouser and Mr. Matthews and they had discussions as to what was on the Fosler Road plans, what they were offering, what the possible potential in recreation fees would be. Ms. Hilbert stated they thought they would offer a 20% discount off of the \$850.00 per lot to \$680.00. Ms. Hilbert stated she wanted to know what

the board members felt about that. Mr. Baum asked if the fees were going to be just on this one parcel. Ms. Hilbert stated they would be looking at recreation fees by project to project. Mr. Matthews stated this would be a onetime fee. Mrs. Beinkafner asked Ms. Hilbert how they came up with the 20%. Ms. Hilbert stated they looked at some of the past projects, Aloha Acres was one of the ones they discussed. Ms. Hilbert added that they tried to gauge what this project was offering versus what some of the past projects offered. Ms. Hilbert asked the board members if they felt 20% was a fair amount. Mrs. Beinkafner stated the board could have been a little more generous. There was further discussion between the board members. There was a consensus by the board members that 20% was a fair amount. Ms. Hilbert indicated that she would draft a memo to the Supervisor letting him know that the Planning Board had some discussion, and are in a bit of an agreement to extend that good faith courtesy of the 20% reduction for lot recreation fee. Ms. Hilbert stated she would have the Town Board draft a letter to Mr. Moriello.
Ms. Hilbert will draft a letter to the Town Board.

Gunk House

Mr. Wilkin gave the Planning Board a brief history of the project (which is before the Town of Lloyd for a variance for a proposed addition). Mr. Wilkin indicated this project did not have to go in front of the Town of Lloyd Planning Board for a site plan, it is pre-existing non-conforming. Mr. Wilkin indicated part of the parking is in the Town of Plattekill. Mr. Wilkin stated that the proposed addition would be within six feet of the public highway. Mr. Gorres commented that the owner of the Gunk House bakes and would like a place to sell it, and the only place they have to move any space out is where they are proposing to put the addition.

Ulster County Planning Board

Mr. Wilkin stated that the UCPB and Planning Department are looking to go around to the surrounding towns and have a discussion about what they would like to see, such as;

- If they can get it through the County Legislature, the Ulster County Planning Board doesn't have to see all the referrals.
- Coordinate better with the Towns
- Get feedback from the Towns
- The meeting would be a half an hour open discussion

There was discussion that Ms. Hilbert would coordinate with the Ulster County Planning Department as to the date and time of the meeting. Ms. Hilbert added that they would try to schedule it when there was a Planning Board meeting.

MML Homes Subdivision

Ms. Hilbert indicated the Town Board head reached out to MML Homes requesting money so that they could set up an escrow account to pay legal fees. Ms. Hilbert stated that the Town Board sent out two letters, and haven't received anything from MML Homes, so Mr. Croce is

MML Homes Subdivision (continued)

asking the Planning Board to suspend any further review. Ms. Hilbert stated that she sent out an e-mail to Mr. Shaw and Mr. Clouser to that effect, so right now the application is on stand-by, until they submit money. Mr. Gorres stated MML Homes has enough money in the Planning Board Escrow. Ms. Hilbert stated yes, they have \$5,000.00 in their Planning Board Escrow fund.

VOUCHERS

Vouchers from Planning Board Engineer, David Clouser

Voucher-in the amount of \$1,985.60 to come out of the escrow of MML Homes

MOTION: Mr. Gorres made a motion to approve the voucher for payment with Mr. Baum seconding the motion. All ayes on the vote.

Voucher-in the amount of \$856.85 to come out of the escrow of Fosler Road LLC

MOTION: Mr. Gorres made a motion to approve the voucher for payment with Mrs. Beinkafner seconding the motion. All ayes on the vote.

ADJOURNMENT

MOTION: Ms. Hilbert made a motion to adjourn with Mrs. Beinkafner seconding the motion. All ayes on the vote.

The meeting adjourned at 9:35 p.m.

Respectfully submitted by
Susan Bolde, Planning Board Clerk