

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

SEPTEMBER 24, 2013

THE MEETING OPENED WITH A SALUTE TO THE FLAG BY CHAIRPERSON CINDY HILBERT AT 7:30 P.M.

ROLL CALL: Chairperson Cindy Hilbert, Thomas Wilkin, Darryl Matthews, Nathaniel Baum, Judith Mayle

Planning Board Engineer: David Clouser

ABSENT: Richard Gorres, Katherine Beinkafner

MINUTES

August 27, 2013

MOTION: Mr. Wilkin made a motion to approve the minutes with grammatical corrections with Mr. Baum seconding the motion. All ayes on the vote.

PUBLIC HEARING

A. Messina and Sons Site Plan/Special Use & Lot Line Revision (Orchard Drive) SBL# 101.1-6-4.311

Mr. Meluso, project representative for Mr. Messina, was present to represent Mr. Messina. Mr. Messina was also present. Ms. Hilbert read the public hearing notice. Mr. Meluso presented the Lot Line proposal and Site Plan proposal to the audience and the Planning Board members. Ms. Hilbert asked if anyone in the audience had any questions. Ms. Rosemary Martin, an audience member stated that she had heard that refrigerators have been brought on to the site and the Freon has been seen going into the ground. Mr. Meluso stated there is a person that has a license to take the Freon out of the refrigerators, to capture the Freon and dispose of it legally, and there is a license for that on the premises that is posted. Mr. Meluso stated that Theresa Laibach, from the D.E.C. would be the one to contact because she does all the inspections on the facility and she oversees that aspect of what Ms. Martin's concern is. Ms. Martin stated that she spoke to someone in the D.E.C., but they said she would have to see the Freon going into the ground with her own eyes. Mr. Meluso explained that Mr. Messina would be constructing a steel building, and most of the work would go on inside so that the potential for runoff would be lessened. Ms. Martin mentioned that she had a pond on her property and three wells that were not drinkable because the coliform count was so high. Mr. Steven Martin asked how they would know that the runoff that goes into Mr. Messina's pond doesn't seep down in to the springs and pop out of his pond that has these fresh springs coming out all the time. Mr. Kevin Patton, P.E., introduced himself to the audience members, and indicated he was working with Mr. Meluso and explained the soil in the area was dense clay, and it was unlikely that the water would move in the direction of Ms. Martin's pond, it is more or less up hill. Mr. Meluso stated the property was

previously used as agricultural which was more detrimental to the environment than what they are doing now. Mr. Meluso stated that Mr. Messina would be implementing an oil and water separator to take care of any spills that are common to industrial activity, so that no spills would get in the pond. Mr. Meluso stated that they had Mr. Brian Drumm from the NYSD.E.C. come out and re-map the wetlands. Mr. Meluso added that the property is twenty-nine acres and only three of it is used, they are going to gain one acre with the Lot Line Revision, the other twenty-five acres will stay unchanged, and they have offered to give some of it to the D.E.C. as part of a trade to use a little piece of the buffer zone to make this site more functional. Mr. Meluso continued, stating that what they proposed is to take half of the one-hundred foot buffer as long as they permanently protect the remaining fifty-feet. Mr. Meluso described what the building would look like (please see file for building details). *Landscaping-* Mr. Meluso stated the D.E.C. didn't want him to introduce anything new into the wetland, so he would put the trees in the fifty-foot buffer that they are planning to use. Mr. Patton went over some of the stormwater prevention plan that would be implemented. Mr. Mark Reynolds, a member of the audience, asked if the Planning Board was approving a "Trucking Terminal designation" this evening. Ms. Hilbert stated that the Town Board had previously approved that designation. Mr. Reynold's asked if there had been a site plan done on this business. Ms. Hilbert stated the business received a zoning permit when Mark Jaffee was the Building Inspector Mr. Reynold's asked if the operation on the site was still essentially a scrap metal place or changing to a trucking terminal? Ms. Hilbert stated there was no specific definition for scrap metal under the code, so when the Planning Board looked at what the definitions of the terms were, they approached the Town Board, and the Town Board made that determination. Ms. Hilbert asked if anyone else had any comments. A member of the audience, Mrs. Conner, stated that one of her neighbors didn't receive a public hearing notice. Ms. Mayle asked the name of Mrs. Conner's neighbor. Mrs. Connor couldn't recall the name. Ms. Hilbert read off the names on the public hearing list and Mrs. Conner recognized "Jelski." Ms. Hilbert stated Mrs. Conner's mailing went out, but apparently an incorrect address was given out, so it was returned. Ms. Mayle stated a legal notice went out certified to Mr. Jelski. Ms. Mayle indicated maybe Mr. Jelski didn't sign for the certified letter yet. Ms. Hilbert added that the Town uses the most current address on record, if no one notifies the Town of any type of address change, it would have been sent to the past address. Ms. Hilbert asked if anyone had any questions. Ms. Conner asked what the hours of operation would be. Mr. Messina stated the hours would be 8:00 a.m. to 4:30 p.m. There were no more questions from the audience members. There was a determination to close the public hearing.

MOTION: Ms. Hilbert made a motion to close the public hearing with Mr. Matthews seconding the motion. All ayes on the vote.

Ms. Hilbert asked Mr. Clouser if he had any questions. Mr. Clouser indicated there were some plans he hasn't seen as far as the stormwater that were referred to in the report. Mr. Clouser added that there were no calculations provided. Mr. Wilkin asked Mr. Meluso if he sent up the plans that included the water and oil separator (which would be part of the stormwater plan) to the Ulster County Planning Board. Mr. Meluso stated that all seven pages went up to the Ulster County Planning Board. Ms. Mayle stated the Planning Board would need to have copies of the

revised plan for the file and enough copies for Mr. Clouser and the Planning Board members. Mr. Clouser stated that the Planning Board can't approve the site plan until they see something from the D.E.C. in writing, that they are agreeable to reducing the buffer area. Mr. Clouser added that he would need proposed grades and he would need a grading plan. Mr. Clouser stated that the Ulster County Planning Board would need the lighting plan. Mr. Meluso stated the Ulster County Planning Board received that information. It was indicated that there was a copy of the Lighting Plan in the file. Mr. Meluso stated he would provide the information, and added what he would really like would be Mr. Clouser's input on the Stormwater Prevention Plan. Mr. Clouser stated that he did not do a review letter because he didn't have the information he needed. Ms. Mayle asked Mr. Meluso if there was a garbage dumpster which would be used for the business on the site plan map. Mr. Meluso indicated where the dumpster was located. Mr. Meluso stated currently there is a one thousand gallon diesel fuel tank (2-500 gallon tanks) and he showed on the map where the trucks would unload and fuel. Mr. Clouser stated Mr. Meluso should check with the D.E.C. and ask what they would require for the curbing. Ms. Mayle stated that Mr. Meluso would have to get the revised plans to the Planning Board and get the information required to Mr. Clouser. Ms. Mayle indicated the Ulster County Planning Board had thirty days to make a decision. Mr. Meluso asked the Planning Board if they had any thoughts on the plantings or screening. Ms. Mayle stated some of that would depend on the D.E.C. Ms. Mayle asked Mr. Meluso if he had done any noise study. Mr. Meluso stated no. Mr. Wilkin stated most of the work would go inside the building and that would help deaden the sound. Ms. Mayle stated the Planning Board does not have any indication of the volume or type of noise that is being generated off the site. Ms. Mayle stated that some sound readings could be taken at the edge of the property during operations to give the Planning Board a sense of whether there was a problem out there. Mr. Wilkin stated Mr. Meluso should note when the sound readings were taken during leaf on or leaf off. Mr. Meluso stated that one of the agricultural notes on the plan says that there may be noise associated with the operation and it may happen twenty four hours a day. Mr. Meluso indicated he did not think that noise was going to be an issue because of that note. Mr. Messina stated it is not continuous noise. Mr. Clouser asked Mr. Messina what his latest operating hours were. Mr. Messina stated in the winter it would be 4:00 because you can't see after that time.

Revised plans will be submitted to the Planning Department. Required information will be given to Mr. Clouser's office for his review and comment.

OLD BUSINESS

MML Homes-Proposed 27 Lot Subdivision (Crescent Ave.)SBL#95.1-3-8.1

Mr. Michael Moriello, Attorney for the applicant and Ryan McGuire of KC Engineering were present. The Planning Board members and David Clouser, Planning Board Engineer went over the revised drafted Part II of the Long Form EAF. (please see file for revised Long Form EAF, revisions in red with a date of 9/11/13). Mr. Clouser indicated that on the EAF that he has, it indicates the project is going to have two phases in two years. Mr. Wilkin stated he thought that the applicant didn't want to phase the project. Ms. Mayle asked if the phases were identified on the map. Mr. McGuire indicated the phasing plan hadn't been prepared yet but could be provided prior to final approval.

Mr. Clouser stated the Planning Board would need to see the phased plan prior to preliminary approval. Mr. Clouser added that there are two temporary cul-de-sacs shown on the plan now, which is where the phasing may be located. Mr. McGuire stated he would have to take a look at the phasing, adding that typically the detention pond and the road infrastructure would go in first. Mr. Clouser stated that there has to be a narrative in Part III to address all the potentially large impacts.

Additional changes to Part II-

Impact on Open Space and Recreation-Ms. Mayle stated this subdivision would increase homes as well as residences with children that may have an impact on the recreational needs of the community. #13-Will proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities? "No" was changed to "Yes." Ms. Mayle asked Mr. Clouser if there would be a need for additional facilities or programs. Mr. Clouser answered that additional families will require additional recreational facilities. Mr. Clouser stated that cannot be mitigated. Ms. Mayle stated it could be mitigated by putting in recreational facilities, but she did not know if that would be ideal. Mr. Wilkin asked if that wasn't the reason there were recreational fees for the lots. Mr. Clouser answered that collecting the recreational fees is the alternative.

Mr. Clouser stated he will work on Part III of the Long Form EAF. Mr. Moriello stated they would circulate the AG Data Statement. Mr. Clouser asked if the AG Data Statement was circulated already. Ms. Hilbert went through the list of involved agencies that were listed in the lead agency circulation. Mr. Moriello stated he would be sending an AG Data Statement to T-Bar. Mr. Moriello stated the next step would be to adopt the negative declaration and schedule a public hearing. There was a determination to place this project on the October 22nd. Workshop agenda.

The application is tentatively scheduled for October 22, 2013.

DISCUSSION

SEQRA Training

Ms. Hilbert indicated everyone was signed up for the training session for October 1, 2013.

Attendance

Ms. Hilbert stated the attendance memo was distributed to the Planning Board members. Ms. Hilbert indicated there were a couple of people that had attendance that were lower than is accepted by the Town Board.

VOUCHERS

Planning Board Attorney Jason Shaw

Voucher-in the amount of \$160.00 to come out of the escrow for Fosler Road LLC.

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

Tax Parcels and Chadwick Lake Watershed Etent In Plattekill

Mr. Wilkin passed out a map of the Chadwick Lake Watershed for the Planning Board members to review. Mr. Wilkin gave a brief discussion in reference to the map and stated that the Ulster County Planning Board wanted input on it.

ADJOURNMENT

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

The meeting adjourned at 9:35 p.m.

Respectfully submitted by
Susan Bolde, Planning Board Clerk