

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

APRIL 26, 2016

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, Lorraine Morano, Richard Gorres, Darryl Matthews, Nathaniel Baum

Absent: Kathie Beinkafner

MINUTES

April 12, 2016

MOTION: Mr. Matthews made a motion to accept the minutes with corrections with Ms. Morano seconded the motion. All ayes on the vote.

OLD BUSINESS

Cellco Partnership d/b/a Verizon Wireless (Decker Road)SBL#108.3-1 & 18.1

Mr. Hyde Clark, Attorney for Verizon Wireless was present along with Consultant Colin Fazio. Planning Board member Nathaniel Baum recused himself from the discussion. Mr. Clark indicated they were before the Board for a proposed communications facility consisting of a 110 foot tower, which would be 114 feet with the proposed lightning rod, and a 11' 6" by 16' covered equipment platform. Mr. Clark added that there are no co-location opportunities in the area, so a new build is required. Mr. Clark stated that they were in receipt of two letters from the Town's consultants, one letter from RF Engineer, Ron Graiff and a letter from Barton & Loguidice (formerly David Clouser & Associates). Mr. Clark indicated they were working on responding to Mr. Graiff's letter and just received the Barton & Loguidice letter today, so they will be working with their engineers to address the comments which he felt were minor. Ms. Hilbert stated she would like to concentrate on the Planning Board Engineer, David Clouser's comments, and although some were minor issues, they added up to the bigger picture and should be addressed before the Planning Board considers this proposal a complete application. Ms. Hilbert added that if the Verizon Engineers were able to respond to the items in Mr. Graiff's and Mr. Clouser's memos by next week, they could be scheduled for the next Planning Board agenda which would be in two weeks. Mr. Wilkin stated that the Board has to take a vote this evening and make a motion as to whether they want to stop the "shot" clock or not. Ms. Hilbert stated that the application would have to go to the Ulster County Planning Board for comments. It was determined that the next

Ulster County Planning Board meeting would be held on May 4th., which might not be attainable, with the following Ulster County Planning Board meeting being June 1st. Mr. Clark stated if they get the information to the Board by next week and get on the agenda in two weeks, they would be able to make the June 1st. Ulster County Planning Board meeting. Ms. Hilbert stated she would like the Board to go through the Engineering comments with Mr. Clouser at this time. Mr. Clouser stated the biggest concern regarding the Stormwater was that it didn't meet the D.E.C.'s guidelines for stormwater management. Mr. Clouser stated that a lot of the information that is on this plan was on the other plan (Verizon submitted a prior application which was withdrawn). Mr. Clouser stated that the Verizon Engineers would have to show that they have permeability in the soils, there is no soil testing provided. Mr. Clouser stated that there were discrepancies in the hydro/CAD models between what is shown on the maps and what is indicated on the models. Mr. Clouser stated there were some discrepancies in the development plan, but the primary issue is the grading and drainage (see file for complete engineering comments dated April 21, 2016). Mr. Fazio stated that he spoke with their Engineer and he would be calling Mr. Clouser to go over the issues in detail. Mr. Clouser added that Plattekill is an MS4 community, and before Verizon can get the stormwater permit that they need, they will have to prove to the Town that it meets all the D.E.C. criteria. Ms. Hilbert asked Mr. Clark if he received any comments from his engineer in response to RF Engineer, Ron Graiff's comments. Mr. Clark stated that their engineer was working on them and would have them submitted shortly. Ms. Hilbert asked if the Planning Board members had any questions. Mr. Wilkin stated that parts of the Town of Newburgh would be served by the proposed communications facility along with parts of the Town of Plattekill and should be mentioned in the Statement of Intent (see page two, Purpose of Prosper Communications Facility). Mr. Wilkin stated that "Town of Wallkill" was not correct (refer to Documentation of Public Utility Status and Overview of Rosenberg Decision). Mr. Wilkin stated that on the plans it states that the dish is 80 feet high and on section 9 page 1 of 8 it states the dish is 100 feet above ground level. Mr. Wilkin asked where the fuel tank would be located. Mr. Fazio explained where the fuel tank would be located on the plan, and stated the fuel tank takes about 250 gallons of diesel fuel. Mr. Wilkin stated he would like to have the information on the Mount Zion tower sent to RF Engineer, Ron Graiff. Ms. Hilbert polled the Planning Board and asked if they felt that Verizon Wireless had a complete application. Ms. Morano, Mr. Matthews, Mr. Gorres and Mr. Wilkin did not feel that the application was complete. There was a determination to make a motion in regard to the application being incomplete.

MOTION: Mr. Wilkin made a motion that the application was incomplete at this time and that the "shot clock" would stop until the requested information was submitted to the Planning Board and the Board would deem this a complete application. Mr. Gorres seconded the motion. All ayes on the vote.

Mr. Wilkin stated he didn't see a big issue moving forward with this, the biggest issue would be the stormwater plan and RF Engineer, Ron Graiff's sign-off. Ms. Hilbert stated she would copy any information the Planning Board received to Scott Olson and Lisa

Gorman, and that the application would be put on the next agenda, if all the requested materials were submitted by next week.

The applicant will be tentatively scheduled for the next Planning Board meeting.

NEW BUSINESS

David & Marietta Ale-Site Plan, Day Care Center (Allhusen Road)SBL#94.15-2-2.1

Mr. David Ale and his son Steven were present. Ms. Hilbert asked Mr. David Ale if he would give a brief introduction to the Board of his project. Mr. David Ale stated his son Steven would like to open up a daycare center. Ms. Hilbert gave a copy of the initial engineering comments from David Clouser and the Building Inspector's Notice of Determination to David Ale. Mr. Wilkin stated this would be a mixed use, but the Planning Board couldn't make that determination, he would have liked to have seen that as part of the determination from the Building Inspector. Ms. Hilbert stated the Planning Board could reach out to the Code Enforcement Officer and ask him for a clarification. Mr. Clouser asked when the wetlands were last delineated? Mr. David Ale stated he had it delineated around 2001 or 2003. Mr. Wilkin stated the tax and location maps should both be on one sheet. Mr. Wilkin stated this would have to go to the Ulster County Planning Board for review. Mr. Wilkin asked if a dumpster would be used. Mr. David Ale stated yes. Mr. Wilkin stated Mr. Ale should put that on the map along with the lighting, which should be shielded, non-glare. Ms. Hilbert asked Mr. Clouser if he would go over his comments. Mr. Clouser stated that the Short form EAF was done by hand, and if Mr. Ale goes on line at the D.E.C. site and puts in the parcel information, it will print the responses. Mr. Clouser asked Mr. Ale to provide the number of children that would be attending the Day Care Center, so that traffic could be figured out. Mr. Clouser stated that parking is supposed to be in the rear of the building, and Mr. Ale would require a waiver from the Planning Board to put the parking in the front. Mr. Clouser stated that Mr. Ale should get the NYSDEC to delineate the wetlands in front of the part that is going to be developed and show that on the map. Mr. Clouser added that section of the code 110-25 has a list of everything that should be on the site plan for a special use permit. There was discussion that the existing driveway would be adequate for the traffic entering and exiting the day care. Mr. Wilkin stated the Planning Board should get the Highway Superintendent's comments on the driveway for site distance.

The applicant will make the necessary revisions to the plan and be scheduled for a future agenda.

Innovation Homes-Proposed 7 Lot Subdivision (Prospect Hill & Quaker St.)SBL#107.1-3-35.11

Charles Brown of Talcott Engineering was present to represent the applicant. Mr. Brown stated that they have done soil and water testing which has been reviewed by the Ulster County Health Department. Mr. Brown indicated that the project no longer contains property in the Town of Newburgh. Mr. Wilkin asked Mr. Brown where the triangular piece of property went to. Mr. Brown indicated that he was pretty sure it went with the

house located in the Town of Newburgh. Mr. Brown indicated the triangular piece was not part of this application. Ms. Hilbert stated it is common when you have property that is bisected by town boundaries to do a natural subdivision, through County Real Property. Mr. Brown asked Mr. Clouser if he would have to do a Stormwater Pollution Prevention Plan because although there is 5.2 acres of disturbance on the property, it is not contiguous. Mr. Clouser stated that the D.E.C. is pretty straightforward about the acres of disturbance. Mr. Clouser added that Mr. Brown would have to submit a Stormwater Pollution Prevention Plan. There was discussion concerning the driveways. Mr. Wilkin stated the Planning Board would have the Highway Superintendent look at the driveways, indicating lot #1 and lot #2 showed a shared driveway. Ms. Hilbert stated on a prior application that was before the Planning Board, the Board allowed the applicant to put two driveways together. Mr. Wilkin added that the driveways were double width. Mr. Clouser stated Mr. Wager should look at the drainage there also. Mr. Brown stated that he would meet Mr. Wager out at the property. Mr. Wilkin asked Mr. Brown if he did a soil test on the property. Mr. Brown stated they did several soil tests on the property. Mr. Wilkin stated that the Planning Board has a Soil Contamination Sample Report from G.A.G.E. which showed positive results. Mr. Brown stated the criteria changed and got more strict, but this time around it was clear. Mr. Brown stated the only thing that came up last time was the lead and arsenic. Ms. Hilbert asked Mr. Brown to submit the soil test results. Ms. Hilbert asked Mr. Clouser if there was anything that needed to be done with the driveway on lot #1 which showed a ten percent grade. Mr. Brown stated they can get a driveway profile on the driveway for lot #1. Mr. Clouser stated along with a driveway profile for lot #1, Mr. Brown might consider paving it. Mr. Brown stated the developer was considering paving all the driveways. Mr. Brown added that he has considered that the driveways would be paved and added that calculation in the drainage analysis. Mr. Brown added that he would provide all that information for Mr. Clouser to review. Mr. Wilkin asked Mr. Brown why he used the long form EAF. Mr. Brown stated because it is a 7 lot subdivision. There was a discussion regarding sending a map to the Town of Newburgh as a courtesy. Mr. Clouser stated the Town of Plattekill Planning Board would take care of that. Mr. Wilkin asked Mr. Clouser if this would be a drainage district. Mr. Clouser stated that it depends on whether there would be a basin that has to be maintained. Mr. Brown stated that there probably would be a basin that needed to be maintained. There was a discussion regarding sending this application to the Ulster County Planning Board for review and comment. Mr. Brown stated he would supply the Planning Board with two extra maps, one for the Town of Newburgh and one for the Ulster County Planning Board. Mr. Clouser stated that Mr. Brown submitted a Habitat Assessment Report which would need to be updated. Mr. Wilkin stated that the AG Data Statement would have to be circulated.

The applicant's representative will make the revisions to the plans and submit two additional maps; one map to be sent to the Town of Newburgh and one map and copy of the drainage analysis to go to the Ulster County Planning Board for review.

Patura Garden Extension

Supervisor Croce was present. Ms. Hilbert stated that Mr. Wager, Highway Superintendent was approached by a developer who was interested in purchasing five lots in Patura Gardens. Ms. Hilbert stated that Mr. Wager was working with the developer to figure out what would be the best way to do a partial extension for those five lots. Ms. Hilbert stated Mr. Wager questioned whether the Planning Board had any concerns if he were to present this plan to the Planning Board. Supervisor Croce stated this would require a lot line revision because the hammerhead as proposed was not originally where it was supposed to be. There was discussion regarding obtaining a D.E.C. permit to go through the wetland. There was discussion regarding whether the hammerhead could be put where the Highway Superintendent is proposing to put it because of the wetlands. Mr. Baum stated he would like to know if there is a timeframe on putting the road in through the wetlands. Ms. Hilbert asked the Board if there was a general consensus from the Planning Board members that they were okay with the road extension. The Planning Board members were in agreement.

Retention Ponds

Supervisor Croce had a brief discussion with the Planning Board regarding who would be responsible for periodically checking the retention ponds. Ms. Hilbert stated that when the Town accepts the drainage district, it has a legal obligation to create it and collect funds. Ms. Hilbert stated the funds that are collected go toward payment of the Inspections. There was discussion regarding changing the code to address this issue.

Proposed Local Law for Site Plan Review for Properties in a Designated AG District

Supervisor Croce asked the Planning Board to review the local law template and give their comments to the Town Board.

VOUCHERS

Amount	Planning Board General Fund	Motion
\$22.14	Mileage for Tom Wilkin (abstained from the vote)	Mr. Baum/Mr. Gorres
\$32.60	Mileage for Cindy Hilbert (abstained from the vote)	Mr. Baum/Mr. Gorres

Amount	David Clouser, Planning Board Engineer	Motion
\$ 834.50	Dunkin Donuts	Mr. Gorres/Mr. Baum
1,655.25	Dunkin Donuts	Mr. Gorres/Mr. Baum
\$1,165.00	Verizon Wireless	Mr. Gorres/Ms. Morano
1,022.25	Plattekill Dollar General	Mr. Gorres/Ms. Morano

VOUCHER INCREASE

Amount	Escrow/Applicant	Motion
\$2,000.00	Dunkin Donuts	Mr. Matthews/Mr. Gorres

ADJOURNMENT

MOTION: Mr. Matthews made a motion to adjourn with Mr. Gorres seconding the motion. All ayes on the vote.

The meeting adjourned at 10:00 p.m.
Respectfully submitted by

Susan Bolde, Planning Board Clerk