

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

Minutes of January 14, 2020

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

ROLL CALL: Chairperson: Cindy Hilbert, Vice Chairperson: Richard Gorres,
Kathie Beinkafner, Thomas Wilkin, Lorraine Morano, Phil
Sabarese, Nathaniel Baum

EXCUSED ABSENT:

CONSULTANTS:

MINUTES

December 10, 2019 (Moved till the end of the meeting)

MOTION:

Motion made by Ms. Hilbert to move the December 10, 2019 minutes to the end of the meeting, Mr. Gorres seconded the motion. Motioned passed unanimously.

MOTION:

Motion made by Mr. Gorres to approve the minutes from the December 10, 2019 meeting with corrections, Ms. Morano seconded the motion. Motioned passed (Mr. Baum abstained)

PUBLIC HEARING:

Joseph L. Galm
473 South Ohioville Road, New Paltz

SBL# 94.4-5-4&5
Lot Line Realignment

Mr. Robert James with A. Diachishin & Associates, P.C. was present to represent the applicant. Mr. Galm would like to do a Lot Line Realignment. The lot line revision is proposed to make the two lots roughly equal in acreage, and to clean up various

encroachments of the mobile home park that are on the Joseph Galm parcel. At this time no new lots will be created.

Ms. Hilbert read the Public Hearing Notice, nine (9) certified mailing went out and (5) five were received.

Mr. Pat Eckert from 491 S. Ohioville Road, New Paltz was present in the audience. Mr. Eckert questioned if anything was going to be built or if they were going to expand on the mobile home park. He stated that there was a deed restriction on what could and could not be built. Mr. Galm stated that they will be putting the restrictions on the map for the future. Mr. James reviewed the deed filed on April 24, 2019, and there were no mention of any deed restrictions in that deed. Mr. James will research the previous deeds and look into any lot restrictions and let the Board know what they were.

MOTION:

Motion made by Mr. Gorres to close the public hearing and seconded by Mr. Sabarese. Motion passed unanimously.

The Board reviewed Mr. Hines comments on the project. Mr. Hines comments regarding the preexisting non-conforming use with the manufactured housing park had been discussed with the Code Enforcement Officer and he confirmed that the applicant was making a preexisting non-conforming use, less non-conforming (see COE Notice of Determination dated 11/25/2019). Mr. James stated that the UCHD approval for the septic system for Lot #1 was completed and approved. He will send the Board a copy of the approval.

MOTION:

Motion made by Mr. Wilkin for preliminary approval and seconded by Ms. Morano

MOTION:

Motion made by Mr. Wilkin to waive the final public hearing and seconded by Ms. Morano. Motion passed unanimously.

MOTION:

Motion made by Mr. Wilkin to grant contingent final approval with the research of the deed, final maps mylars and fees and seconded by Ms. Morano. Motion passed unanimously.

NEW BUSINESS:

James & Michelle Eckert
163 Rabbit Run Road, Clintondale

SBL# 102.1-1-29.11
3 Lot Subdivision

Ms. Patricia Brook from Brooks & Brooks, P.C was present to represent Mr. & Mrs. Eckert. They are proposing a three lot subdivision of 15.02 acres parcel. With an improved single – family dwelling. The property is located at 164 Rabbit Run Road with a zoning designation or RR-1.5. The proposal is to divide this parcel into three (3) separate lots. Lot one (1) has an existing residential home with an apartment over the garage, and the second lot the son will be building one and the third lot the daughter will be building on. Lot one (1) and three (3) will have a shared driveway. There will be future access for lot number three to put another driveway in if needed.

The applicant will be sent to the Zoning Board of Appeals for an area variance in the front yard. Currently there is a garden shed on the property on proposed Lot three (3). Once subdivided, this shed would then be located in the front yard of Lot three (3). As per the Town Code, you cannot have an accessory structure in the front yard of your parcel. The Board will make a referral to the ZBA for the variance issue.

The applicants' representative has met with the Highway Superintendent at the location and has gotten his opinion on the driveway locations. Mss. Brooks stated that Mr. Wager would like to cluster all the driveways as close to each other as possible, due to the sight distance.

A letter also will be sent from the Clintondale Fire Department asking them to review the proposed subdivision and comment on the proposed access issues and the topography of the present parcel.

According to the representative, proposed lots two (2) and three (3) have Board of Health approval. A letter was submitted on 1/14/2020 to the Board.

MOTION:

Motion made by Mr. Wilkin to take Lead Agent and seconded by Mr. Gorres. Motion passed unanimously.

MOTION:

Motion made by Mr. Wilkin for Unlisted Action and seconded by Mr. Gorres. Motion passed unanimously.

MOTION:

Motion made by Mr. Wilkin to declare a Negative Declaration for the project and seconded by Mr. Gorres. Motion passed unanimously.

Fred Cabe (Modena Automotive, Inc)
2032-2034 Route 32, Modena
Service Establishment

SBL#101.1-2-15
(Conceptual) Auto Service/Retail &
Service Establishment

Ms. Brooks from Brooks & Brooks, P.C was present to represent Mr. Fred Cabe, owner of Modena Automotive Inc. Mr. Cabe has recently purchased an 11,700 square foot warehouse located at 2032-2034 Route 32 in Modena. The site contains a block building and a metal garage located on 1.48 acre parcel in the BD-60 Zone. Mr. Cabe is proposing to renovate the building and relocate his existing auto repair business located at 1950 Route 32 to this site. He would also like to propose to lease a portion of the building for small equipment sales and repair.

The hours of operation that Mr. Cabe is proposing is Monday through Saturday from 8 am to 6 pm. He is proposing to have eight employees. There will be one handicap accessible bathroom that will be shared by the two businesses and the existing septic tank will be upgraded to a 1000 gallon concrete tank.

The block building will be painted and signage will be "limited: to on-building signage due to the proximity of the building to the roadway. The NYS Department of Transportation has reviewed the site and has requested the existing guard rail be removed and replaced with a post and rail fence with grass and/or low plantings between the fence and edge of the pavement. The metal garage in the rear of the property is pre-existing and is going to be only used for storage. The Board has asked the applicant to find out what the hours of operation for the small repair shop will be and those should be included in the site plan.

The applicant has met with the NYS DOT and they were informed that they can have two curb cuts for the two businesses. Both of these accesses are already there on the site.

This application will be recommended to be sent to the Town Board after a formal application has been made to the Planning Board for a small equipment sales and repair business interpretation. This type of business is not currently listed as a use in the Towns' Code. The Planning Board will request the Town Board to make an interpretation so that the applicant can proceed with his project. The Planning Board does support this business as being consistent with the definitions under the "Retail

Business or Service Not Otherwise Specified” portion of the Zoning Word Usage and Definitions, although it is not specifically stated and will make a recommendation to send to the Town Board for a final determination on the Code interpretation.

MOTION:

Motion made by Mr. Sabarese to send this applicant to the Town Board for a Town Code interpretation on the small equipment repair and sales portion and seconded by Mr. Gorres. Motion passed unanimously.

Brunet and Jonietz
892 & 896 South Street, Plattekill

SBL# 102.3-5-7.11 & 102.3-5-4)
Lot Line Change & Subdivision

The applicant is being represented by Mr. Jonathan Cella, P.E.

The applicants are proposing to do a lot line change and subdivision involving two existing parcels in the RR 1.5 Zoning District. The lands of Jonietz (892 South Street) currently contains an occupied single family residence. The parcel is approximately 16.3 acres. It has 5.42 acres with the existing residence on the west side of South Street and 10.8 acres of vacant land on the east side of South Street. The property of Brunet (896 South Street) also contains one owner occupied single family residence on a total of 1.34 acres. They are proposing to transfer approximately .45 acres of land from 892 South Street to 896 South Street. The proposed land to be transferred is on the North side of South Street and also fronts on Cotter Road. The land being transferred from 892 to 896 South Street has no proposed development and will be combined into lot 896 to have a total of 1.79 acres. The new building lot on South Street is proposed to be 1.63 acres and be serviced by an individual wells and on-site sewage disposal systems.

The Board discussed Mr. Hines comments with the applicant and his representative. The applicant will forward the Board a copy of the UCHD approvals once they get them. The Code Enforcement Officer has noted that the property located at 892 South Street does not meet the current setbacks, but because it is a preexisting condition, it meets the development standards.

The members stated that they did not need the applicant to survey the remaining lands located on the south side of South Street for this application, but rather show that land as part of the subdivision map.

MOTION:

Motion made by Mr. Wilkin for the Planning Board to take Lead Agent and seconded by Mr. Gorres. Motion passed unanimously.

MOTION:

Motion made by Mr. Wilkin for Unlisted Action and seconded by Mr. Gorres. Motion passed unanimously.

The Board discussed Part II of SEQR and stated that there would be little to no impact on all of the questions.

MOTION:

Motion made by Mr. Wilkin to declare a Negative Declaration and seconded by Mr. Gorres. Motion passed unanimously.

Innovation Homes

Quaker Street & Prospect Hill Road

SBL# 107.1-3-35.11

Subdivision

Mr. Burns, with Burns Engineering Services, PC, was present to represent Innovation Homes. Mr. Burns discussed the outstanding concerns and issues that were discussed at the public hearing. This included site distance, road side work, and storm water. It was discussed that all of the issues have been resolved.

Mr. Burns stated that the Plattekill Highway Department has replaced the culverts along Prospect Hill Road. As part of a previous comments, all the storm water drainage for the project will be brought into one place, the corner property by Prospect Hill Road and Quaker Street. All storm water changes (proposed by Mr. Willingham, former Highway Department engineer) should be sent to M. Hines to be signed off on.

The applicant has conducted some ditch clearing and also site line clearing for Lot six (6) as per the recommendation of the Highway Superintendent. There shall be a small gap between lots one (1) and two (2), but they may use the same driveway curb cut.

Mr. Hines had some questions on the calculations/modeling of the storm water control structure and Mr. Burns will forward his comments to Mr. Hines for review. Mr. Burns will also forward a copy of the SWPPP to Mr. Hines. There is no Drainage District proposed for this project. The Board of Health will need to finalize the plans and sign off on them.

Mr. Burns addressed the comments from the Public Hearing. These included site distance and driveway locations, road side drainage work, water run-off in the neighborhood and property front line widths. There should be language included in the deeds of lots three (3) and four (4) about the easements for storm water work. The public hearing was left open to address the concerns the property owners had on storm water for the project.

A note shall be added to the map about the Towns' request for a right of way for a road dedication.

This application should go to the County Planning Board for review and comments since it is less than 500' off a municipal boundary line between different towns and counties.

MOTION:

Motion made by Mr. Gorres to close the public hearing and seconded by Mr. Baum. Motion passed unanimously.

MOTION:

Motion made by Mr. Wilkin to grant Preliminary Approval and seconded by Mr. Gorres. Motion passed unanimously.

VOUCHERS:

MOTION:

Motion made by Mr. Gorres to pay McGoey, Hauser & Edsall Consulting Engineers, for Duch Farms in the amount of \$131.80 and seconded by Ms. Morano. Motion passed unanimously

MOTION:

Motion made by Mr. Gorres to pay McGoey, Hauser & Edsall Consulting Engineers New Paltz Center in the amount of \$2,181.50 and seconded by Ms. Morano. Motion passed unanimously.

MOTION:

Motion made by Ms. Morano made to close the meeting at 10:12 pm and seconded by Mr. Baum Motion passed unanimously.

Minutes: January 14, 2020

Respectfully submitted by,
Janice Stryker, Planning Board Clerk