

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

Minutes of August 25, 2020

THE MEETING OPENED WITH A SALUTE TO THE FLAG BY VICE
CHAIRPERSON: RICHARD GORRES AT 7:30 P.M.

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

EXCUSED ABSENT: Vice Chairperson: Richard Gorres,

CONSULTANTS: Patrick Hines: McGoey, Hauser & Edsall Consulting

PUBLIC HEARING:

Carolyn Prendys
433 Crescent Ave

SBL# 95.1-2-5.1 & 5.2
Proposed 2 Lot Subdivision

Ms. Hilbert read the Public Hearing Notice:

"Notice is hereby given that a public hearing will be held by the Planning Board, Town of Plattekill, County of Ulster on: Tuesday, August 25, 2020 at 7:30 p.m., or as soon thereafter as may be heard, at the Town Hall 1915 Route 44/55, Modena, N.Y. 12548

At this time the Planning Board will be conducting a public hearing on the application of: Lands of Modena Auto Group, LLC for a site plan.

The property is located at 2032-2034 Route 32, Tax map Section 101.1, Block 2, Lot 15.

All interested parties will be given an opportunity to be heard in respect to this application. For further information, please direct all inquiries to the Planning Board Clerk at 845-883-7331 extension 18.

By order of the Planning Board Chairperson
Cindy Hilbert

Thirteen certified letters were mailed out. Twelve return receipts were received and one was not delivered and was returned.

The applicant Modena Auto Group, LLC is looking for a site Plan approval and Special Use Permit.

Ms. Patti Brooks with Brooks & Brooks Land Surveyors, P.C. was present to represent Modena Auto Group, LLC (Mr. Fred Cabe). Ms. Brooks gave a brief description of the intent of the project. Modena Auto, LLC proposes to re-development a former commercial site containing an existing 11,700 square foot building to operate his Automotive Service & Repair business, as well as provide rental space for retail sales and service of small engine equipment. The existing building will be refurbished, and the site rehabilitated to provide parking and landscaping. The former railroad bed will be utilized for parking with a portion seeded, and a wooden buffer will remain separating the site from the residential dwellings in the rear of the parcel. The proposed hours of operation will be Monday through Saturday, from 8:00 am to 6:00 pm. There will be approximately either (8) employees on site.

Mrs. Brooks stated that she met with the NYS DOT and they advised her that they wanted the guardrail to be removed and have a new curb cut along the southern end of the property. They are working on where the new sidewalk should be placed. It will either be four (4) or five (5) off the state highway.

The Town of Plattekill Town Board has determined at their meeting on February 5, 2020, that the small engine sale & repair business comfortably fits in the definition of Retail Business or Service not otherwise specified.

Public:

Mr. Gentile from 1 Fox Run Drive: Stated that they have no problem with what Mr. Cabe is planning on doing.

Mr. Ken Yonk from 10 Fox Run Drive: Stated the Mr. Cabe is a good person, very honest and supports what he is doing.

Nancy Gillman from 2010 Route 32, questioned if this was the business who are is going up the street screeching the tires?

Ms. Patti Brooks and Mr. Fred Cabe both stated that it was not them.

Mr. Lois from 9 Fox Run Drive stated that he approves of this and has done a great job, Mr. Cabe is very honest and it looks so much better.

Mr. Dave Winters, who owns the property to the south of the parcel stated that he ok with the project.

MOTION:

Mr. Sabarese made a motion and was seconded by Ms. Beinkafner to close the public hearing. The motion passed unanimously.

Ms. Brooks spoke with the Code Enforcement Officer, Scott Mandowske and he made a determination that he reviewed the Parking plan submitted by Brooks & Brooks and have reviewed the requirements for The Town of Plattekill and neighboring municipalities with regard to parking. He believes that the Parking requirements submitted by Brooks & Brooks provide an adequate design for the repurposing of the existing site. The applicant is proposing 52 marked parking spaces, including 10 for vehicles being repaired.

Ms. Brooks stated that she has meet two (2) times with DOT regarding the proposed sidewalks. Ms. Brooks stated that she met with them because they are pushing the sidewalks further back on the property. She will make sure that she gets a copy of the letter from DOT approving this change and submit it to us. Ms. Brooks confirmed that this was sent to Ulster County Planning Board and it will be on the agenda with them in September 2020. Ms. Brooks requested that her client be put back on the agenda September 8, 2020 so that the board can review the Ulster County Planning Boards comments. She will get a Letter of Determination from the Code Enforcement Office and send that to the Board for their file. Once she finalizes everything with the DOT she will get the DOT highway access permit and email it to us.

Jacob & Joyce Heotzler
482 Forest Road, Wallkill

SBL# 107.1-2-5.21, 5.22
Proposed (2) Lot Subdivision

Mr. and Mrs. Heotzler were present to represent themselves.

Mr. Hines, McGoey, Hauser and Edsall Consulting Engineers reviewed his technical review comments.

TOWN OF PLATTEKILL
PLANNING BOARD
TECHNICAL REVIEW COMMENTS

PROJECT:

HEOTZLER: LOT LINE CHANGE

PROJECT NO: 20-8
PROJECT LOCATION: SECTION 107.1 BLOCK 2 LOT 5.21 & 5.22
REVIEW DATE: 24 AUGUST 2020
MEETING DATE: 25 AUGUST 2020
PROJECT REPRESENTATIVE: JERRY A. WOODS, L.S., LANC & TULLY
ENGINEERING

1. The project proposes to transfer 0.517 +/- acres of property between adjoining parcels. Tax Map 5.22 will be granting land to Tax Map 5.21.
2. The Short Environmental Assessment Form was not filled out on the NYS DEC's interactive website. Section 3a, 3b, 3c do not appear to be answered correctly.
 - Total acreage should be the combined acres of both sites at 59.061.
 - Total acreage disturbed should be "0"
 - Total acreage project site and continues property owned or controlled by this applicants should read 59.061.
 - Answer #5 should be "Yes".
 - Answer #5b should be "Yes".
 - Answer #10 should be "Yes"
 - Answer #11 should be "Yes"
3. A public Hearing for the lot line change is required.

Respectfully submitted,

McGoey, Hauser and Esall
Consulting Engineers, D.P.C.

Patrick J. Hines
Principal

The applicants received Mr. Hines comments and revised their application and submitted a new one with all his suggested changes.

MOTION:

Mr. Wilkin made a Motion and was seconded by Mr. Baum to classify it as an Unlisted Action. Motion passed unanimously.

A public hearing has been set up for 22nd of September 2020.

PONDSIDE ESTATES
2299 RT 32

SBL# 94.3-1-1.11
Proposed 25 Lots

Mr. Kirk Rother, P.E was present to represent his client. He explained his client is proposing a 25 lots subdivision with 25 proposed colonial houses each having two (2) to three (3) bedrooms. The latest maps that that were supplied to the board (with a road removed) is dated July 7, 2020.

Mr. Patrick Hines reviewed his technical Review Comments:

TOWN OF PLATTEKILL
PLANNING BOARD
TECHNICAL REVIEW COMMENTS

| | |
|-------------------------|-----------------------------------|
| PROJECT: | PONDSIDE ESTATES |
| PROJECT NO.: | 19-7 |
| PROJECT LOCATION: | SBECTION: 94.3, BLOCK 1, LOT 1.11 |
| REVIEW DATE: | 24 AUGUST 2020 |
| MEETING DATE: | 25 AUGUST 2020 |
| PROJECT REPRESENTATIVE: | KIRK ROTHER, P.E. |

1. A Yield Plan has been submitted to the Planning Board identifying a potential yield of 25 lots. This Yield Plan was developed utilizing two (2) lots accessing State highway, two (2) lots accessing a cul-de-sac bulb. We questioned the ability to permit the two lots to access the State Highway, two (2) lots to access the State Highway, as well as the geometry of the cul-de-sac bulb serving lots #11 & #12.
2. It is requested the applicant submit plans delineating portions of the lot taken out of the calculation based on wetlands, wetland buffers, floodplains, steep slopes, existing easements, including the existing AT&T easement.
3. The single access point to the subdivision may be an issue for jurisdictional emergency services. The Planning Board and Town's policy regarding single access points to major subdivisions should be addressed.
4. Information pertaining to the suitability of the soils on the project site to support subsurface sanitary sewer disposal systems should be provided. The Planning Board may wish to request soil tester be performed to evaluate the adequacy of the onsite soils.
5. The applicant's representative is requested to provide a narrative report on the benefits of the cluster subdivision over the conventional subdivision. It does not

appear that impacts associated with construction, grading, erosion and sediment control and roadway lengths are significantly reduced to warrant the cluster subdivision approach.

6. The plans do not contain any areas dedicated for storm water management. Large portion of the property are not useable for storm water management as they are State regulated wetlands, associated buffers, or Federally protected wetland areas.
7. It appears that three (3) additional lots have been included in the cluster subdivision.
8. It is unclear why a doubling of the open space density bonus has been included in the open space area calculation.
9. The Planning Board has the ability to determine whether to offer a density bonus. The Planning Board should evaluate the benefits of the cluster subdivision vs. the conventional subdivision in order to determine if those benefits warrant the issuance of a density bonus.
10. Compliance with Section 110-48 G 2 should be documented as it appears that all open space has been incorporated into individual lots. "Such lots shall represent more than 50% of the open space.
11. The cluster subdivision plan identifies a 20 – foot front yard setback as well as a 10 – foot rear and side yard setback. None of the proposed houses are near these setbacks. If the Planning Board is consider cluster subdivision, it is recommended that these setbacks be increased in order to prevent the units from being constructed in close proximity to the proposed roadway. The conservation subdivision gives the planning Board flexibility in determining bulk requirements.
12. Section 110-48H: The Planning Board may also require open space linkages with adjoin properties, set-asides of active recreation area for residents and fronting of up to 50% of lots on the open spaces. A review of the current cluster proposal identifies that open space will be in private ownership.
13. The applicant's representatives are requested to identify how the management of open space will be granted to residents in the subdivision.
14. NYSDEC validated wetland map should be submitted.

15. The Army Corps of Engineers delineation and jurisdictional determination for the Army Corps Wetland should be received.
16. The stream crossing the access road is an NYSDEC regulated Class "BT" stream requiring permits for crossing of the stream.
17. A review of the EAF submitted identifies that threatened or endangered species habitat may exist on the site for Bog Turtle, the project is located in Ulster County AG District #2,
18. The project is located within close proximity to National or State registered eligible properties, and that State and Federal Wetlands exist on the site as well as a regulated stream.

Respectfully submitted,

McGoey, Hauser and Edsall
Consulting Engineers, D.P.C

Patrick J. Hines
Principal

Mr. Hines explained that the board will have to review the plans and see if the cluster lots are the way to go.

Mr. Wilkin explained that with the drainage issues the client may lose up to four (4) lots. The cluster development plan shows a 25 lot subdivision and the regular plan now shows 17 lots. He stressed that only the buildable land should be used in the calculation for the lot development.

Mr. Sabrese questioned if they drilled test wells. It is unsure if this has been done since the project had stated many years ago so they will confirm if it was done or not. Mr. Rother stated that there was some soil testing done by the previous engineering firm and if he can find it he will forward it to the Board.

This subdivision will require a drainage district which will have to be developed and submitted for review to the planning consultant and this should be part of the SWPPP. It was stated that the storm water area will have to be considered as part of the useable open space area.

The Planning Board may grant, but it is not guaranteed that the cluster development plan will be accepted. The open space should be removed from the larger lots and this should be shown as a separate area. Mr. Hines stated that the ownership and maintenance of the open space will need to be determined. The applicant can go to the land trust organizations in the area and contact them to see if they would be interested in holding the ownership and a conservation easement will need to be established. The Town Board will also need to sign off on the conservation easement and open space agreement. The open space area should be shown as one whole parcel and not in several separate lots on the subdivision maps. The open space is currently shown to be around 49.70 acres +/-.

Mr. Wilkin stated that the Town usually doesn't accept the "bubble" type cul-de-sacs, so this should be confirmed with the Highway Superintendent. Ms. Hilbert stated a copy of the subdivision map should be sent to the Highway Superintendent for review and the clerk stated she had already sent one and was awaiting comments back. Mr. Wilkin also stated that the Town usually prefers to have a "hammer-head" design turn around. Since the proposed road crosses a creek the applicant may need to contact the DEC to see if they would allow a bridge to be built across the stream.

The DEC should map out the wetlands on the property and the buffer areas, certify this, and then a copy should be sent to the planning consultant and Planning Board.

Mr. Hines stated that the NYS archeological website shows that there are some historical properties located within the neighborhood so the applicant should research this and make a determination to their status.

Mr. Sabarese questioned if there had been any test wells drilled yet. If there were, he would like to see the testing results and he wanted to know what the depth of the wells that were tested.

The Planning Board said for them to get the narrative together and then depending on when they supply it, they will be able to be placed on the agenda either September 22, 2020 or October 21, 2020.

DISCUSSION:

Ms. Hilbert received an email from Mr. Jesse Coakley, from Maser Consulting regarding the Nursing Home Project. She read the email to the Board members (see copy in file). After much discussion it was determined that Ms. Hilbert will reach out to Mr. Coakley with the requests from the members.

The following are the questions from the Board:

1. Confirm the exact locations and coordinates of the current well locations.
2. Is one of the well locations currently in the DEC wetlands or buffer area?
3. Is one of the well locations around 200' from the sewage treatment plant?
4. Request a 72 hour test be done on the current wells.
5. Monitor wells within an area of a one mile radius. The Board would like know which wells are being monitored and possible choose which wells to monitor.
6. Is there a 5th well being drilled?

Ms. Hilbert will contact New Paltz Nursing Home requesting a copy of the map showing were the wells are. The Planning Board would also like to be contacted regarding the dates that the wells will be monitored.

MOTION:

Ms. Morano made a motion and seconded by Mr. Sabarese to approve the June 9, 2020 minutes with corrections. Motion passed unanimously.

MOTION:

Mr. Morano made a motion and seconded by Mr. Sabarese to approve the July 14, 2020 minutes with corrections. Motion passed (Mr. Baum and Mr. Wilkin abstained).

There were no vouchers to review.

MOTION:

Mr. Sabarese made a motion and seconded by Ms. Beinkafner to close the meeting at 8:50 p.m. Motion passed unanimously.