

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

Minutes of: April 12, 2022

ROLL CALL:, Chairperson, Cindy Hilbert, Vice Chairman, Richard Gorres, Nathaniel Baum, Ernie VanDeMark, Darlene Rucelli, Lorraine Morano, George Hickey

EXCUSED ABSENT:

APPROVAL OF MINUTES: February 22, 2022, March 8, 2022,
March 22, 2022

CONCEPTUAL:

Raphael Sacks
183 East Road

SBL# 108.3-7-18
Proposed: Arts & Wellness Retreat Center

Ms. Nelson, Tighe & Bond, was present to represent Mr. Raphael Sacks. Mr. Sacks is in the process of deciding to buy Tin Roof Properties. The parcel is located at 185 East Road, in Plattekill, New York. The parcel contains approximately 46 acres. The applicant would like to put a 50x70 building on the property to be used as a workshop, dance studio, have a cooking class and dinners there, and hold public events. This would need to be permitted under a special use permit and application. Currently there are pre-existing non-conforming structures and uses on the property. There are eleven livable structures containing thirty livable rooms. The main housing will be for the owners use, and the remaining units will be treated as retreats and will be set up as Bed and Breakfast style. There are currently three (3) separate septic and three (3) separate wells located on the property.

There is one 3-bedroom cottage; one 1-bedroom apartment; one 3-bedroom house, a barn, a dance studio with a kitchen in it; a 2-bedroom bungalow, a duplex, each with 2-bedrooms in it and a six unit apartment. There is approximately 30-31 livable rooms in all the units. Six of the cottages are short-term rentals and three of the buildings are long-term rentals.

The property is located in the M-3 Zoning District. Ms. Nelson stated that they felt this property would best be defined as a Hospitality Use, which is currently not in the code. The current structures all pre-date zoning. The only permits currently on file with the Town are those for renovations to some of the buildings.

There is DEC Wetlands on the property and they would need to be flagged out. Mr. Sacks stated that there is only about ten (10) acres of usable land on the property. He questioned what the setbacks for the wetlands were. Ms. Hilbert responded that there was a 100' buffer for the State DEC wetlands.

The current status of the property will stay through the sale of the property until new construction is done then the status will change. What is proposed is a non-allowable use. It will have to go in front of the Town Board and they would possibly have to do an amendment change to the zone.

It was requested by the Board that the owners catalog what the uses of the property were in the past so they could determine what is a pre-existing use, and what might not be. The Sacks are very interested in purchasing the property, but want to make sure that they can continue the use of the property as it is and possibly added additional uses in the future by building another structure. Mr. Sacks asked if they build a new building how that impact the pre-existing, non-conforming uses on the property. Several of the units are not winterized so they are only used seasonally. Mr. Sacks would like to have them insulated so they can be used year-round. The possible new building would be used to hold dance, artist and cooking classes. The Board will need to look at the density of the parcel to determine if it maybe be a problem.

Ms. Hilbert suggested that she set up a meeting with the potential owners, Ms. Nelson, the Planning Board engineer and Building Inspector to better determine how they should further proceed. She'll speak with the Building Inspector and all the parties to set up the meeting.

PUBLIC HEARING:

Modena Collision
1954 Route 32

SBL# 101.1-5-8
Proposed: Addition

Ciro Interrante, Architect was present to represent Modena Collision. Mr. Interrante reviewed the comments from Mr. Hines, MHE Engineering. Ms. Hilbert asked Mr. Interrante to forward his comments to the board so they may be shared with Mr. Hines. He stated that they submitted the EAF, the bulk table on the plans was updated as per Pat's request, and the use of the plan was the same as the existing use. He also asked for a waiver for the parking requirement. There were already two handicap parking spots before. These spots will be relocated once the proposed addition will be done. The proposed space will be used as a new detailing area. The current space being used for this will be moving into the new space. The lighting will be building mounted similar to the pre-existing. They will be hooded, shielded lights.

Mr. Interrante stated that there will not be an interconnecting door in between existing and new addition.

MOTION: Mr. Gorres made a motion for a Negative Declaration with Mr. Baum seconding the motion. All ayes on the vote.

MOTION: Mr. Gorres made a motion for Lead Agency with Mr. Baum seconding the motion. All ayes on the motion.

Ms. Hilbert read the public notice and opened the Public Hearing.

Mailers were not mailed for the Public Hearing.

The Public Hearing will be rescheduled for May 10, 2022.

PUBLIC HEARING:

Joseph Snyder & Jeanine Gemmel
736 & 738 Route 44/55

SBL# 95.3-4-13.1 & 13.2
Proposed: Lot Line Adjustment

Ms. Hilbert read the Public Hearing notice and opened to the Public Hearing. There were no comments from the public.

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

MOTION: Mr. Gorres made a motion for a conditional final approval, with maps, mylars and all final fees being paid with Ms. Ruscelli seconding the motion. All ayes on the vote.

NEW BUSINESS:

Lewis Braun
Paintball Way

SBL# 101.2-2-12.91
Proposed: Seasonal Camping

Mr. Braun gave a description of the property. He purchased the property in 1983. He stated that there was a letter back in 1984 (Appozzo Letter) that described the proposed business at that time. The property is approximately 130 acres. He stated that there is a continuous battle with vandalism on the property and they currently have a "care-taker" that lives on site to help keep an eye on the place. Over the years they have cleaned up the place and made it nicer looking. It started out the he would come up with his fellow law partners and they would stay in the cabins. The trailer that they used as a place for the employee is now used as the operation center.

He said that within the last 2-3 years, someone drove a car into the pond up there.

The property is Zoned RR1.5. Currently, this Zone dos not allow camping.

Mr. Braun is looking to get approval for modified camping permit on the facility. He stated that he is not looking for the conventional camping. Mr. Braun has three major events a year. The Woods Ball World Cup there is no camping allowed. He stated that there will only by two or three RVs for the tournament and once would be from Wisconsin. They would be using the camping only area in the Section A parking area and they would be there no earlier than three days prior to the start of such tournaments and no later than two days after such tournaments ended. All such camping to take place at least 150 feet from Sunset Camp Road and at least 100 feet from trash dumpster.

These two events will happen this year June 3, 4, 5 and July 29, 30 and 31 of 2022. Security RV stationed within 100 feet of Distribution Center of Section A at edge of Parking Area (3 acres).

There are two Mag Fed games in 2022 where tent camping is allowed in Section D two days prior to the start of such games through one day after completion of such

games. The first Mag Fed big game is to take place this Memorial Day weekend, 2022.

Portable bathroom facilities will be in place during such tournaments and big games constituting no less than one such facility for every 70 participants.

Mr. Braun would like to have camping on top of the hill for his employees. He currently has one (1) employee who stays in a RV year-round.

There as a lawsuit over the original application and the property owner received approval for his project though the lawsuit.

The Town Board would need to know how many events he is applying for and when the events will be happening.

Ms. Hilbert would like to speak with the Planning Boards lawyer since there is a contingent settlement with Mr. Braun (established 1987).

Mr. John Sisti was the Towns' attorney and Jacobowitz and Gubits was Mr. Braun's attorney. Mr. Braun stated he thought the original settlement was agreed to back in 1986 or 1987 when Ms. Ester Coppola was on the Planning Board.

Mr. Braun will come back in front of the board at a later date.

Melissa Dotson & Melina Terry
200 New Unionville Road

SBL# 108.1-1-3
Proposed: 2 Lot Subdivision

Ms. Brooks, Brooks & Brooks, was present to represent the applicant. Ms. Brooks stated that her client would like to do a two-lot subdivision. The proposed lot 1 will be a 1.05-acre parcel containing an existing house, well and septic system. Proposed lot 2 will be a 3.42-acre parcel with a proposed house, well and septic system. The lot has received a permit to construct a new septic system from the Ulster County Department of Health. A common driveway is also proposed to be constructed to service both Lot1 and Lot 2 which will be subject to approval form the Town of Plattekill DPW.

The board reviewed the comments from Mr. Hines with Ms. Brooks.

A negative Declaration will need to be done before the public hearing. A Public Hearing will be scheduled for May 10, 2022.

American Tower/Dish Wireless
30-34 Cliff Avenue, Highland

SBL# 95.1-5-9.1-1
Proposed: Co-Locator

Mr. Gorres recused himself before the start of the application.

Mr. Alan Hinckley was present to represent the applicant.

The applicant Dish Wireless proposes the installation of three (3) antennas, six (6) RRU's at 85' RAD, cabling and supporting equipment, ground equipment within the existing lease area: equipment platform, equipment cabinet, PPC cabinet, conduit, GPS, and supporting equipment. This original tower was built in 2010 with the height of 120 ft. The Co-Location equipment will be mounted at 85' in height. There will not be any increase in the height of the current tower.

The board reviewed Mr. Hines comments. Mr. Hinckley responded that most of the questions were covered in the CD's but there will be very little visual impact and no change to the foot print. All comments will be responded through written response. The applicant has requested that the Public Hearing be waived for the application. Ms. Hilbert stated that in the past they have always held public hearings, even for the Co-Location applications. She said that she wants to keep the Boards procedures consistent with what was done in the past. She will double check and review the former applications, just to be sure and she will contact the applicant to confirm if they will need to have the public hearing or not.

Ms. Hilbert stated that the Planning Board is waiting on the comments of the Structural Review from Mr. Hines. Application will be sent to the County once the Structural Review is completed.

MOTION: Ms. Hilbert made a motion to wave the Visual Impact Study with Mr. Hickey seconding the motion. All ayes on the vote.

Dish Wireless
1706 Route 44-55

SBL# 94.4-3-5
Proposed: Co-Locator

Mr. Brian Clark was present to represent Dish Wireless. He stated that the Co-Locator will be going on the lowest level of the pole. Mr. Clark stated that they will be installing the new apparatus at 125' height on the existing pole. There will be no change in the height of the existing tower.

Ms. Hilbert stated that she will review the past procedures for the Co-Location applications and let the applicant know whether or not they will need to have a public hearing. She will contact them once she determines the past procedure.

Ms. Hilbert explained that the Board is waiting on the Structural review from our engineer.

Application will be sent to the County once the Structural Review from Mr. Hines.

MOTION: Ms. Hilbert made a motion to wave the Visual Impact Study with Mr. Gorres seconding the motion. All ayes on the vote.

OLD BUSINESS:

South Street Builders
692 South Street, Highland

SBL# 102.1-6-22.11
Proposed: Multi Family

Ms. Brooks, Brooks & Brooks Land Surveyors, was present to represent her client. Mr. Parabelli, South Street Builders, was last in front of the Planning Board October 2019. The following information has been added to the map per the minutes of October 22, 2019.

- Source of the topography and boundary information
- Site distance at the proposed residential subdivision road
- Letter from Mike Nowicki is included stating there are not regulated wetlands on this parcel
- Proposed conventional subdivision layout including acreage for each parcel
- Location of proposed house, well, and septic locations for each lot meeting minimum setback and separation requirements

- Areas provided for stormwater management

Ms. Brooks was looking for the Planning Board determination for density purpose of the site plan.

MOTION: Mr. Hickey made a motion to except submitted map for density purpose with Mr. Baum seconding the motion. All ayes on the motion.

DISCUSSION:

MOTION: Mr. Gorres made a motion to declare a Negative Declaration for Innovation Homes Application with Mr. Baum seconding the motion. All ayes on the vote. (Mr. Hickey abstained)

VOUCHERS:

MHE Consulting Engineers D.P.C.	Amount:	Applicant:
	\$112.50	Joseph Snyder & Jeanine Gemmel

MOTION: Mr. Gorres made a motion to approve the voucher for Joseph Snyder & Jeanine Gemmel with Mr. VanDeMark seconding the motion. All ayes on the vote. (Mr. Hickey Abstained)

MHE Consulting Engineers D.P.C.	Amount:	Applicant:
	\$250.10	United Pump & Tank

MOTION: Mr. Gorres made a motion to approve the voucher for United Pump & Tank with Mr. VanDeMark seconding the motion. All ayes on the vote. (Mr. Hickey Abstained)

MHE Consulting Engineers D.P.C.	Amount:	Applicant:
	\$174.90	Cypress Creek

MOTION: Mr. Goress made a motion to approve the voucher for Cypress Creek with Ms. Morano seconding the motion. All ayes on the vote. (Mr. Hickey abstained)

MHE Consulting Engineers D.P.C. Amount: Applicant:
\$610.30 Nursing Home

MOTION: Mr. Gorres made a motion to approve the voucher for the Nursing Home with Ms. Ruscelli seconding the motion. All ayes on the vote. (Mr. Hickey abstained)

MHE Consulting Engineers D.P.C. Amount: Applicant:
\$96.60 Acevedo

MOTION: Mr. Gorres made a motion to approve the voucher for Acevedo with Ms. Morano seconding the motion. All ayes on the vote. (Mr. Hickey abstained)

MOTION: Mr. Gores made a motion to approve the February 22, 2022 minutes with corrections with Mr. VanDeMark seconding the motion. All ayes on the vote (Mr. Hickey abstained).

MOTION: Mr. Gorres made a motion to approve the March 8, 2022 minutes with Mr. Baum seconding the motion. All ayes on the vote (Mr. Hickey abstained).

MOTION: Mr. Gorres made a motion to approve the March 22, 2022 minutes with Mr. VanDeMark seconding the motion. All ayes on the vote (Ms. Hilbert & Mr. Hickey abstained).

ADJOURNMENT

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

The meeting adjourned at 9:21p.m.