

Gardiner Town Planning Board

Meeting Minutes

March 20, 2018

Present: Chairman- Paul Colucci, Vice-Chairman- Keith Libolt, John Friedle, Joseph Hayes, Marc Moran,

Absent: Josh Verleun, Carol Richman, Ray Sokolov

Others Present:

- James Freiband - Principal Planner
- Dave Brennan - Legal Counsel
- Mark Millspaugh - Sterling Environmental

Meeting Called to Order: Start time- 7:00 pm Roll Call Taken

PUBLIC HEARING

1. New York Land Development, 2 Lot Subdivision 2809 Route 44/55 & Bruynswick Rd SBL # 93.1-3-17

Public Hearing Notice (on file) read by Mr. Colucci. Chairman Colucci noted that letters appear to have been sent to the wrong addresses. Uncertain how the error happened but will need to keep the public hearing open and renofice for the April 17 2018 Planning Board Meeting. Applicant James Bianco expressed his frustration that this has occurred.

Chairman Colucci read James Freiband's Memo of January 2 2018 (on file).
Ulster County Planning Board Referral received on March 20 2018 - has no impact
Surveyor, Don Brewer arrived

- Motion to Hold the Public Hearing Open - Mr. Libolt
- Seconded - Mr. Hayes passed unanimously

All the conditions have been met from the Town Planners Memo as read by the Chairman, Board will act on SEQR at the end of the public hearing next month.

2. Robert and Elizabeth Leonard, 3 Lot Minor Subdivision 2126 Bruynswick Rd, SBL # 100.1-3-310

Public Hearing Notice (on file) read by Chairman Colucci. Applicant Mr. Leonard approached the Board.

Chairman Colucci: For the Board and the public's understanding Mr. Leonard received approval for this subdivision back in 2017 and there has been a misstep in the filing of the map, not filed in the time required. This is the same exact map that was approved and signed in 2017.

Public Hearing opened.

Mr. Freiband read his memo of March 12 2018 (on file). Applicant needs to make changes on the application... zoning District...RA & SPO and initial. This was completed.

Board Comments- None

Mr. Colucci: I would like to leave the Public Hearing open for the next 15 minutes if you don't mind to give a chance to your neighbors to comment on it.

- Motion to close the public hearing - Mr. Verlan
- Seconded - Mr. Friedle Passed unanimously- Motion carries

OLD BUSINESS

1. Vals Osborne 128 Crispell Lane -Lot Line Revision and Site Plan
S-B-L 93.2-2-25.100 and 93.2-2-25.111

Mr. Colucci: We have received minor stuff that can be reviewed at the next meeting. Town of Gardiner Highway Dept. recognizing the driveway location, Town of Gardiner Fire Dept. indicating they will need some sort of fire suppressant system due to the length of the driveway, Memo from Jim Freiband which we will leave in the file and we are still awaiting the DEC approval for the wetland crossing.

2. HEARTWOOD – Taylor Family Partnership – Special Permit and Site Plan for a Lodging Facility –
Route 44/55 S-B-L 93.4-1-42.100 & 93.4-1-41.120

Mr. Colucci: Draft Negative Declaration Review Continuation with Mr. Brennan. Heartwood applicants here? Mr. Moriello is not present yet, he is also representing Shaft Road, therefore Chris Martinez will be discussed.

3. Chris Martinez – 246 Farmers Turnpike – Minor Subdivision
SBL# 93.004-1-15.500

Mr. Colucci: Chris, would you like to bring your consultant with you? Good evening gentleman. Bob do you have the newest map? I have a map of the lands over 200' elevation. Map dated March 19 2018.

Surveyor/Consultant Mr. James: Chris and I went out and took some shots of the lands above 200' on both sides of the stream. On the east side, 44/55 side, we had 1.62 acres and on the shop side we had 1.4 acres, so it is a total of about 3 acres above 200 feet contour.

Mr. Colucci: Explanation on the map - the hatch marks, red marks represent the lands above the 200 feet contour. Total of 3.08 acres. The Board should have a letter dated March 1 2018 from the Building Inspector, an application, and a Memo from Jim Freiband.

Mr. Freiband reads his Memo of February 15, 2018 (on file). I did receive in my materials for this evening a copy of the application referral by the Building Inspector to the ZBA dated March 1 2018. In this instance the applicant has also applied for a variance under 220-13.

Mr. Colucci: Can someone give us a step by step or opinion how we should handle this. I am confused on the 1.5 acre vs the 4 acre.

Mr. Freiband: The difference is what is called small scale development specific number of lots instead of a general subdivision the board can use either one as long as we are talking about 2 lots.

Mr. Colucci : The next issue would be the March 1 2018 memo

Mr. Brennan: Let me see if I understand this there is a Zoning Board application/appeal going on right now?

Mr. Brennan: We're not going to get there until we have a decision by the ZBA

Discussion

Sketch Plan Approval

Authorize Planner Consultant to draft a letter to ZBA, set a holding hearing

Need letter from Highway Dept. for driveway for safe access

- Motion for Sketch Plan approval and scheduling public hearing - Mr. Hayes
- Seconded -Mr. Friedle Motion passes- unanimous approval

PUBLIC HEARING Continued

Robert and Elizabeth Leonard, 3 Lot Minor Subdivision 2126 Bruynswick Rd, SBL # 100.1-3-310

Mr. Colucci: If there is no comment on the Leonard Subdivision then we can close the Public Hearing.

- motion to close the public hearing - Mr. Hayes
- Seconded - Mr. Friedle Passed unanimously- Motion carries

Mr Colucci: We need a motion to approve the 3 Lot subdivision as shown as map dated 2/22/17

- Motion - Mr. Hayes
- Seconded – Mr. Friedle Passed unanimously- Motion carries

Mr. Colucci: I need a motion to authorize the Chairman and Secretary sign the maps for Leonard Subdivision

- Motion – Mr. Friedle
- Seconded – Mr. Hayes Passed unanimously- Motion carries

OLD BUSINESS continued

2. HEARTWOOD – Taylor Family Partnership – Special Permit and Site Plan for a Lodging Facility –
Route 44/55 S-B-L 93.4-1-42.100 & 93.4-1-41.120

Applicant Phil Rapport, Consultants Barry Medenbach and Michael Moriello approach the Board.

Mr. Colucci: The Board should have a letter dated March 1, 2018 from Phil Rapport addressing Mr. Brennan's issues from January 31 2018 to the applicant, copies of emails dated March 1, 2018 from the Dave Corrigan of the DOT with respect to the approval for the entrance, and a letter from Ecological Solutions to Phil Rapport dated March 1 2018. We just received a letter dated March 20, 2018 from Sterling Environmental to Mr. Brennan, Town Counsel.

Counsel Dave Brennan explains we are in the SEQR process. His letter of January 31 2018 to the applicant has been responded to by the applicant. Mr. Millspaugh has looked at some of the technical aspects and has responded in the March 20 2018 letter.

Mr. Brennan scanning the topics enumerated in his letter of January 31 2018 as follows:

- Discussion of River Weed, seeking clarification about the potential impact in the recreational river. Biologists Report on River Weed needs to be clearer, discussion among all parties. Mr. Brennan would like the Biologist to submit a better explanation for the SEQR determination.
- Discussion of Department of Transportation (DOT) analysis of trip generation. The DOT has responded that the access is conditionally approved.
- Discussion of Public Access to the River. Clarification that access is for patrons of the business.
- Noise Analysis was provided. Mr. Millspaugh addressed the analysis, first order evaluation would comply with Town of Gardiner Code and would not exceed the DEC Recommended Values in their Guidance Documents. Mr. Colucci asked about the noise limiters. Mr. Millspaugh has asked for some additional information, data. Mr. Millspaugh suggests you may want to monitor the noise so there is data when complaints arise.
- Discussion of the Conservation Easement, Applicant explained the reasons for the Easements.
- Discussion of the Ulster County Sewer and Water Permitting from the Department of Health.
- Discussion on Hudsonia Report, questions that were previously proposed.

- Mr. Millspaugh received Lighting Plans consisting of 4 pages. Fixtures are all compliant with the Town Codes, down cast lighting (light goes down, not up or out). Applicant states there is no Stadium lighting. Parking lots and at intersections will have Poles, height is 20 feet at these locations.
- Discussion of Campfires, response that there will be 3 locations for campfires on the site.

3. **Shaft Road LLC Preliminary Plat for 10 Lot Open Space Development** - Lands situated within the RA Zoning District along 85/91 Shaft Rd and South Mountain Road, SBL# 93.3-1-21.1

Applicant has given a check to replenish escrow account.

Mr. Colucci: We have a memorandum from Mr. Freiband March 6 2018 (on file), a resolution prepared by Mr. Brennan and Mr. Freiband (on file), and you should have a letter dated March 6 2018 from Mr. Moriello to Mr. Brennan.

Mr. Freiband read Memo of March 6 2018.

Mr. Brennan read the resolution dated March 20 2018

Motion to vote on the Resolution as amended for Preliminary Plat approval

- Motion – Mr. Friedle
- Seconded – Mr. Libolt

Marc Moran as alternate, voting on the Board, certifying according to By-Laws has reviewed the records and documents on this project.

Ayes – 5 Nays – 0 Motion Passed

NEW BUSINESS

None

INFORMATIONAL

1. Mr. Freiband met with Jeff Econom concerning Jacqueline Estates for Maps prior to Board Meeting
2. Mr. Calderone - 2 Lot Subdivision Flag Lot South Mountain Rd.

COUNTY PLANNING BOARD REPORT CORRESPONDENCE

None

MINUTES APPROVALS

February 20 2018 Meeting Minutes

- Motion to accept - Mr. Moran
- Seconded – Mr. Friedle Passed Unanimously – Motion carries

Next month's Meeting is April 17 2018 - Organizational Meeting

- Mr. Friedle unable to attend but willing to stay on as Secretary

ADJOURNMENT

- Motion to adjourn – Mr. Libolt
- Seconded – Mr. Moran

Respectfully submitted,



Maureen Vickner TerBush
Planning Board Clerk



Approved: April 17 2018
Filed: April 25 2018