

Planning Board Minutes – October 17, 2017

Present: Paul Colucci, Vice Chairman, John Friedle, Secretary, Joe Hayes, Warren Wiegand, Carol Richman, Josh Verleun, Ray Sokolov Absent Keith Libolt
Also, Present: James Freiband, Consultant and David Brennan, Attorney

PUBLIC HEARING HELD OPEN:

Heartwood

Chairman Paul Colucci re-opened Public Hearing on Heartwood.

Opened for public comment:

Carol O'Biso – McKinstry Road: believes application incomplete. . Well test 24-hour test. Proper well test should be done.

Bridget Regan - no review standards for reviewing application; items blank, opening up to liability owner on McKinstry Road. Pumping test application incomplete.

Annie O'Neil-North Mtn Rd: Tree roots holding soil need for the river bank so there is no erosion.

John Bohan -38 Tinkers Lane read his memo sent to the board dated 10/1/17 on file.

Paul Colucci addressing time limits to everyone wanting to speak and to please adhere to the 3 minutes.

Unidentified - gave her 3 minutes so John Bohan could continue his memo (on file)

Lisa Lindsey -raised concern on the restaurant 4500-5000 sq ft, 150 patrons at one time, traffic problems, taking business away from town businesses and creating more traffic.

Ellen Ferrante-Sand Hill Rd gave her time to David Gagnon to finish

David Gordon -Attorney for People for Gardiner. range of technical issues-declaration.

Type 1 action none of the issues are are being considered significant- asserts not possible w/info.

Kiviat report identifies a recommended 1000 ft buffer to Kill

Paul Trozzi - erosion of soil- application-incomplete. Side of ridge 35 years, storm pipes will erode outfalls to Kill

Thomas Carano property owner - not a resident yet. Owns a mechanical flow company-reading well report and report grossly inadequate. Read pressure transfusion did anyone witness the testing. Caliber. How much water pumping out-what kind of equipment and who performed it!

Rick Navy-McKinstry Rd 32 years has lived in this house. The water test after a wet spring, test needs to be taken again for 72 hour period.

Thomas Carano said his company will witness pro bono.

David Gagnon- SEQR issues-DEC Oct 6th application page 3 Paragraph B feasible alternative-why are the impacts on river concerns, cabins in the woods need alternative. 2 compliments to the board-getting different consultants and taking broader appreciated. Questions whether the Board is taking a hard look. Noted - Jim Freiband's memo paragraph 6 additional soil testing needs to be done. Soil cannot handle the septic-don't backload-Declaration of Significance

Hilary Adler submitted memo (on file)

Paul Colucci Jim Freiband read his memo dated October 13, on file.

Paul Colucci had determined that /Sterling Environmental more than qualified and was on the Town Board list.

Paul Colucci per memo's recommendations, Board should consider a workshop session given the time required to cover all comments. , Carol Richman asked what would trigger Public Hearing to reopen

David Brennan -if project changes, that will trigger another public hearing. Issues would then need to be addressed and will hold another hearing

Next steps on SEQR-close to hearing; schedule workshop-SEQR determination then site plan.

Mr Brennan recommends closing the public hearing and complete SEQR

Paul Colucci. To complete or add to application prior to SEQR- can they submit if needed the info in certain areas.

Jim Freiband responded -applicant has the right to answer comments during Board workshop review. Applicant agreed to provide any missing information.

David Brennan we need to close the public hearing and continue to make written correspondence

Carol Richman wants to extend hearing based on public comment. Board discussion and agreement that all relevant material now available for review.

Chairman called for resolution Motion to close public hearing and accept written correspondence for 10 days. Any materials, comments can be made up to October 27th :

Motion made by Warren Weigand and 2nd John Friedle to close hearing and allow 10 days for further written comments. Ayes Ray Sokolov, Paul Colucci - opposed Carol Richman, Josh Verleun Motion carries.

Paul Colucci moved to table further discussion on Heartwood and set a workshop date- November 13th at 7:00 pm subject to posting of notice and availability of Town Hall. Board agreed to check on dates.

Carol Richman made a motion to discuss/review # 6 wildlife, plants & animals 2nd by Josh opposed Paul Colucci, Warren Weigand, Ray Sokolov, John Friedle. Motion fails.

OLD BUSINESS:

Shaft Road Subdivision – Kiviat 10 lot subdivision.

Motion by John Friedle and 2nd Ray Sokolov for Kiviat to schedule preliminary public hearing subject to receipt of all materials. November 21st all ayes

Applicant to provide all materials to Sterling Environmental for Preliminary Plat review only.- No further SEQR review beyond Bagdon Environmental and published Negative Declaration.

Wood 1A DePero Rte 208 Site Plan Review / SEQR

Jim Freiband read his memo dated October 13, on file.

Paul Colucci read Sterling memo dated October 17, 2017 on file.

Warren Wiegand asked for more time to review Sterling memo

Sterling letter asserts the project (para 2 pf EAF letter)is commercial. Mr Freiband read the definition of residential in the Zoning. Applicants Attorney read the definition in SEQR handbook. Project is correctly identified as Multifamily Residential.

Discussion on well test - Ulster County Health Dept approves wells. redundant wells if one fails the other takes over

Discussion -Another 72 hour test needed will check the water levels. 72 hour test only required to get DOH approval.

Moving forward with Neg Declaration review.

Site plan design detail issues are not relevant to SEQR .

DOH determines impact of the permit issue of permit on standards

David Brennan stated that impact statements in SEQR is a determination of whether a Negative Declaration or a Positive Declaration is required. – Sterling letter leaves open questions on water impacts.

Paul Colucci will request that Sterling addresses this as SEQR determination and respond accordingly to the board

The Board can then a hold vote on SEQR declaration after water supply comments are answered.

Mr Freiband stated he discussed this with Mr Millspaugh by phone. He also agreed that full compliance with State agency permit requirements implicitly prevent potential significant impact findings.

Paul Colucci is not prepared to entertain motions on SEQR and will make a call w/Millspaugh to clear up questions.

Kiviat letter concerning potential effects on the water table and influence on other wells. Carol Richman wanted documentation on the impact on transportation

Paul Colucci stated DOT monitor impacts during permit (such as turning lanes). DOT traffic counts and correspondence were reviewed. storm water pollution is required to be addressed in the SWPPP which is also a site plan issue.

Jim Freiband stated the applicant has acknowledged they will comply with all site plan and zoning requirements.

Carol Richman stated she finds per SEQR moderate to significant impacts water and wildlife. No second to the the proposed finding.

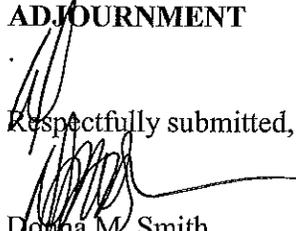
Millspaugh & Larry Marshall letter from Millspaugh will be sent to all. The Board agreed to entertain motions on SEQR at the November meeting.

No county reports

Motion was made by Warren Wiegand, seconded by Ray Sokolov to adjourn the meeting. All in favor. Motion carries

ADJOURNMENT

Respectfully submitted,


Donna M. Smith
Clerk to the Planning Board

APPROVED DECEMBER 19, 2017