

Town of Gardiner
Planning Board
Minutes March 21, 2017

Present: Chairman Boylan, Vice Chairman Colucci, John Friedle, Ray Sokolov, Carol Richman, Joe Hayes and Warren Wiegand.

Absent: Keith Libolt

Others Present: James Freiband, Planning Consultant

Chairman Boylan called the meeting to order at 7:30 pm.

PUBLIC HEARING

ROBERT & ELIZABETH LEONARD

Minor subdivision consisting of three lots, lands situated within the RA Zoning District at 2126 Brunswick Road [S/B/L #93.2-5-10.1]. James Freiband reviewed memorandum dated March 16, 2017. Correspondence from the Ulster County Highway Department dated February 2017 was read into the record. Chairman Boylan asked for Board Comments. No Comments. Chairman Boylan asked for Public Comments. No Comments. Public Hearing was held open for ½ hr. SEQRA – Motion by Joe Hayes, seconded by Ray Sokolov for a negative declaration for the project. All ayes. Motion carried.

Motion to close the public hearing. All ayes. Motion carried. Application pending Ulster County Planning Board review. Grant

OLD BUSINESS

SHAFT ROAD LLC SUBDIVISION

Open Space (Conservation) Subdivision consisting of ten (10) residential building lots, lands situated within the RA along 85/91 Shaft Road, [S/B/L #93.3-1- 21.10]. Barry Mendenbach, P.E., Michael Moriello Esq, David Kiviat were present this evening representing the project.

James Freiband explained the Board agreed in February to accept the applicant request to resubmit materials, noting that the Board would not reopen the hearing until the record was complete. The final document then required was the proposed format for the easement to address the preserved open space in this Open Space Subdivision as now proposed. The Board has since received guidance from the Board's attorney dated March 19, 2017. MR Kiviat explained his intention for this development and agreed to provide any information required by the Board.

LEVY-DIPERO FARM (WOODS 1 A)

Development for Green Sustainable Low Rise Clustering Housing, located at 320 Route 208 within the RA District [S/B/L 94.1-2-10.1]. The applicant Mr. Levy appeared before the Board to discuss this project on a large parcel of "former apple orchard". Proposal for the sketch site plan development of 55 apartments. James Freiband reviewed memo dated March 6, 2017. (Review is based upon information developed during the site visit, as the application remains incomplete). Vice Chairman Colucci stated the Board needs to address as a Multiple Residence, it is a use permitted by right in the RA District subject to site plan review. James Freiband referred to Section 220-11 in the Town Code Note 1 states that this use is only available in an open space development. The code does not indicate the procedure for this type of open space. The Board will need to apply a sketch plan approval for this development to signal approval of the open space development for this site. James Freiband asked the applicant if he has been in touch with the Health Department. Mr. Levy replied yes they are treating this application as a traditional subdivision. Joe Hayes said that this Open Space Development has limited footprint at this point. Very concerned with the septic system design and would like to see the applicant to consider a better septic design to treat wastewater to advance wastewater standards, such as use of single pass sand filters with dosing pumps, packed bed media filters, or textile bed filters. Ray Sokolov was concerned with the septic system locations regarding the house sites on Jenkinstown Road. Mr. Levy replied the distance from the septic systems locations is approximately 900 ft. to 1,000 ft. from the property lines along Jenkinstown Road. Discussion was held on design of the buildings. Mr. Levy said they are still unclear. Not sure to follow the Hamlet Design Guidelines or to go outside the code. Vice Chairman Colucci said it is important to review the actual elevations of the buildings. James Freiband said the applicant has presented a relatively radical change to residential design and construction and the Building Inspector needs to review how the building will be permitted under the building code. Vice Chairman Colucci asked what guidelines does the applicant follow. James Freiband replied he needs to follow the guidelines for multiple family dwellings Section 220-11 in the Town Code. Motion by Vice Chairman Colucci, seconded by Ray Sokolov for

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James Freiband to draft a letter to the D.O.H and the DEC stating the Board request their review on the present Site Plan. Motion was made by Vice Chairman Colucci, seconded by Joe Hayes to coordinate SEQRA to all Involved Agencies. All ayes. Motion carried. Motion by Warren Wiegand, seconded by Joe Hayes to forward the application to the ECC for review. All ayes. Motion carried.

HEARTWOOD NY

Site Plan/Special Permit review for a proposed lodging facility, lands situate in the RA Zoning District, located on Rte. 44/55 and Shawangunk Kill [S/B/L # 93.4-1-42.110&42.12]. Applicants present this evening were Phillip Rapport an, Shinrin Yoku. Also present Barry Mendenbach, Mike Moriello, Esq., Lucia Bartholomew and Carley Lambur. Presentation was given by the applicants on the overall Site Plan for the lodging facility showing the eco cabins, main lobby, restaurant, landscape screening and noted minimal disturbance will occur on the 141 acres. Occasionally weddings and will be limited to guests only. Barry Mendenbach reviewed the septic systems and locations. Vice Chairman Colucci asked about the storm water retention system. Barry Mendenbach replied the system would comply with NYS DEC and SWPPP requirements. Joe Hayes was concerned about the wastewater disposal plan because of the location along the Shawangunk Kill. Site Visit has been scheduled for April 8th – 10 am and April 12th – 1:30 pm. No action had been taken this evening. Following correspondence has been received regarding this project regarding this development be done in a manner that protects and preserves clean air, water, biodiversity, wildlife, quality of life, scenic beauty, additional traffic noise compliance and request for a moratorium on camp sites from Kathy Navy, Ryan Scott Jones, Neal Rindlaub, Brooke Guarino, and Carol O'Bisco.

GARDINER LIBRARY

Site Plan Amendment to pave an area on library property to crate approximately 12 additional parking spaces, lands situated in the HR Zoning District, located at 133 Farmers Turnpike, [S/B/L #93.4-4-19]. Nicole Lane was present this evening representing the Gardiner Library. James Freiband review memorandum dated February 14, 2017. Recommendation that the Planning Board forward completed application to the U.C.P.B. prior to action on this application. There does not to be any issues with this application. The new parking area needs to be at least 100 ft. west of Farmers Turnpike due to the wetlands delineation. Motion made by Warren Wiegand, seconded by Carol Richman to forward the application to the U.C.P.B. for review. All ayes. Motion carried.

ERIC AND ALLISON ZINCZENKO

Lot Line Revisions, lands situated in the RA Zoning District, located at 405 Guilford Road [S/B/L #93.002-01-1.112 and 1.210.

Allison Zinczenko was present this evening. The proposal project is for two existing lots totaling 44 acres. Proposed to expand 5 acres to the neighboring Shirrine property. Revised plan has been submitted. James Freiband reviewed memorandum dated March 7, 2017. Recommendation application is complete. SEQRA Type II action. Motion made by Warren Wiegand, seconded by Ray Sokolov to grant Lot Line Revision approval for Zinczenko/Shirrine subject to all fees to be paid. All ayes. Motion carried.

NEW BUSINESS

GARDINER INDUSTRIAL DEVELOPMENT CORP.

Sketch review for a 2 lot major subdivision, lands situated in the CLI Zoning District [S/B/L # 93.4-6-1]. James Freiband reviewed memorandum dated March 9, 2017. Andrew Willingham, P.E. appeared for the applicant. Chairman Boylan asked the Board for comments. No comments. Motion by Ray Sokolov seconded by Warren Wiegand for the proposed two lot subdivision be granted conditional sketch approval subject to addition of the division of the remainder parcel along the road reservation line to be submitted to the Planning Board and referral to the U.C.P.B. for review based on the Wallkill Rail Trail Property. All ayes. Motion carried.

CORRESPONDENCE

**REFERRAL FROM THE TOWN BOARD
SOLAR LAW RECOMMENDATION**

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Solar Law referral received this evening. Board asked James Freiband to review and submit his recommendations for the Board's review for the April meeting.

ADJOURNMENT

All business completed. Motion was made by Ray Sokolov, seconded by John Friedle to adjourn.

Respectfully submitted,

Margarete Wagner
Planning Board Clerk

Date approved: June 20, 2017

Filed: