

Town of Gardiner  
Planning Board  
Minutes February 21, 2017

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

Absent: Joe Hayes

Others Present: James Freiband, Planning Consultant

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

## **PUBLIC HEARING**

### **CARLOS VELEZ**

Special Use Permit for construction of a single-family residence, lands situated within the SP-2 District, located at 117 Sheldon Road, [S/B/L #93.2-2-10.1].

Zachary Peters, P.E. from Mercurio, Norton, Tarolli and Marshall Engineering & Land Surveying was present this evening. Report received from the ECC dated February 11<sup>th</sup>. James Freiband explained the final plans details need to be specific. James Freiband reviewed memorandum dated February 11, 2017.

Chairman Boylan asked for Board comments. No comments.

Chairman Boylan asked for Public Comments. No comments.

SEQRA – Type II action previously addressed in the original subdivision.

Motion by Vice Chairman Colucci, seconded by Warren Wiegand to close the public hearing. All Ayes. Motion carried.

Motion by Paul Colucci, seconded by Ray Sokolov to approve the Special Use Permit with conditions to be met so noted in the Town Planners February meeting, maps in final form and all required fees to be received. All ayes. Motion carried.

## **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 Medenbach, P.E., Michael Moriello Esq, David Kiviat were present this evening representing the project.

Correspondence received from David K. Gordon, dated February 21, 2017. James Freiband reviewed memorandum dated February 8<sup>th</sup>. Joe Hayes summarized the topics from the public hearing commentary topics listing dated February 2<sup>nd</sup>. None was forth coming from Carol Richman. Applicant submitted revised preliminary plat as well as an addendum dated January 18<sup>th</sup> to the Conservation Analysis. Response received from Barry Medenbach regarding tree marking in addition to professional qualifications of the analysis. Submitted in evidence a copy of the DEC comments. Carol Richman explained the Board has not voted on the Conservation Analysis. Vice Chairman asked Carol Richman to provide a detail referencing what she is referring to. Carl Richman referred to the Town Code Section 220-28. The Planning Board has a duty to follow through. Lengthy discussion was held regarding this matter. Mike Moriello, Esq. explained we had made changes on the revised plan and will address the public comments. Carol Richman explained the Board needs to circle back and look at the conservation values and to keep the Conservation Analysis open. Vice Chairman Colucci replied through deliberation this Board accepted the finding in June 2016. The applicant needs to do their homework. Barry Medenbach replied we want to move forward and finalize the plan. Wetlands and Wildlife Habitat Addendum; provided comments to some questions from the public hearing in correspondence to the Planning board dated February 6, 2017. Submitted formalized application with the DEC. Finalizing Storm Water Pollution Plan. Keith Libolt was concerned with the boundaries details of the slope and asked for another survey to be completed. Mike Moriello disputed the matter and stated Barry Medenbach is a Licensed Surveyor and Engineer. The Board has requested that all documents be forth coming to the Board in order for the project to move forward. Motion was made by Vice Chairman Colucci, seconded by Ray Sokolov for Mike Moriello, ESQ. and Barry Medenbach to get in Touch with James Freiband and the Dave Brennan Attorney for the Town to see what is in need to complete the checklist. 6 ayes. Carol Richman abstained. Motion carried.

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**LANDS OF RHODES**

Sketch review for a Minor Subdivision consisting of three lots, lands situated in the RA Zoning District located at 180 Phillis Bridge Road, [SS/B/L #93.2-2-10.1]. (*No new information has been received*). Barry Medenbach, P.E. was present this evening representing the applicant and stated that he has no new information has been presented.

**ROBERT & ELIZABETH LEONARD**

Sketch review for a 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 February 11, 2017. The application needs to be forwarded to the Ulster County Planning Board for review before a Public Hearing can be scheduled for a Public Hearing.

**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". The proposal is for 60-55 residential units to be contained in four or five clustered three-story buildings with 90 percent of the site set aside for open space, including paths. Chairman Boylan asked for Board's comments: Ray Sokolov concerns – refer to Page 10 in the booklet that has been presented to the Board dated January 31<sup>st</sup>. Mr. Levy replied that is not the final design. John Friedle concern the project was going more urban than rural. Ray Sokolov seems the project is creating a hamlet in the Town. Keith Libolt said he would like to see the barn refurbished. Chairman Boylan concern with the impacts on the housing along Jenkinstown Road. A Site Visit has been scheduled for March 2 – 1 .pm and March 4 – 10 am. No action was taken this evening.

**OHIOVILLE ACRES**

Resolve prep work provision in Town Code Section 188-13E. Major subdivision lands situated in the RA District, located at South Ohioville Road RA Zoning District [S/B/L 94.2-1-3]. Vice Chairman recused himself. Correspondence dated February 15, 2017 received and reviewed by the Board. Mike Moriello explained this a unique project and is requesting a motion by the Board to authorize a meeting with the Planning Board representing and the Town Board for the requirements to be met for filing the final maps. Motion was made by Warren Wiegand, seconded by John Friedle to authorize the meeting as requested. 6 ayes, Carol Richman abstained.

**NEW BUSINESS**

**GARDINER LIBRARY**

Site Plan Amendment to pave an area on library property to create approximately 12 additional parking spaces, lands situated in the HR Zoning District, located at 133 Farmers Turnpike, [S/B/L #93.4-4-19]. No one was present this evening to represent the application. Warren Wiegand asked that James Freiband memorandum dated February 14<sup>th</sup> be forward to the Gardiner Library for review.

**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.

Eric Zinczenko was present this evening. The proposal was for two existing lots totaling 44 acres. Proposed to expand 5 acres to the neighboring Shirrine property. James Freiband explained the Shirrine property owners name must be included on the final plan. No action was taken this evening.

**LAZY RIVER CAMPGROUND**

Site Plan amendment for revision of the pool expansion and replacing the existing bath house, lands situated in the RA District, located at 50 Beaver Road, [S/B/L #94.4-123&24]. James Freiband reviewed his memorandum dated February 14, 2107. Application was incomplete. No action was taken this evening.

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**STEFAN WISNIEWSKI**

Potential division for lands located on Yankee Folly Road [S/B/L #85.4-3-3.11}. The applicants explained he owns 11 acres and would like to subdivide his property. James Freiband explained that there is not enough road frontage and referred the applicant to the ZBA.

**CORRESPONDENCE**

Chairman Boylan recused himself.

Vice Chairman Colucci read into the record request from Tamsine and Michael Boylan for a three-month extension for their 2 2-Lot Subdivision located off Route 208. Motion was made by Warren Wiegand, second by John Friedle to grant a three-month extension for the Boylan 2 2-Lot Subdivision. All ayes. Motion carried.

**ADJOURNMENT**

All business completed. Motion was made by Warren Wiegand, seconded by Ray Sokolov to adjourn.

Respectfully submitted,

Margarete Wagner  
Planning Board Clerk

Date approved: June 20, 2017

Filed: