

Gardiner Town Planning Board

Meeting Minutes

June 19, 2018

7:00 PM

Present: Chairman Paul Colucci, Carol Richman (Secretary), Ray Sokolov, John Friedle, Mariela Roman (Clerk), Keith Libolt , Josh Verleun, Marc Moran, Joseph Hayes

Others Present:

- James Freiband - Principal Planner
- Dave Brennan - Legal Counsel/Planning Board Attorney

Meeting Called to Order: Start time- 7:06 pm Roll Call Taken

OLD BUSINESS

1. HEARTWOOD – Site Plan Review

SBL# 93.4-1-42.100 & 93.4-1-41.120

No memo from principal planner, James Freiband, at this time.

Discussion including applicant's attempt to reduce impact. Applicant presented an updated parking plan that clustered parking near the lobby and away from the Shawangunk Kill.

Ms. Richman asked applicant to identify the specifics of the revised conservation plan. Applicant will return with details.

Mr. Libolt inquired about the specifics of pedestrian crossings and access according to zoning.

Mr. Moran inquired about specifics of land use being agricultural or for conservation. Applicant stated that conservation easement amount is intended as currently specified, not more or less.

Discussion of "public access". The applicant was asked to inquire at DEC regarding the part 666 permit to understand the comment about public access.

Mr. Hayes arrived late and stated no comments thus far.

Mr. Libolt highlighted the 220-65D subsection 3 encouragement for centralized area. PB made recommendations for consideration of material, width, and maintenance of pathways.

PB determined that the matter was not ready for a public hearing at this time.

Mr. Freiband recommended a new/updated application with changes.

Applicant's engineer asked the board viewed their parking modifications as a reduction in impact and to confirm that this is a minor update that would not trigger a re-opening of SEQR. The board affirmed and unanimously agreed it was preferable.

2. SUBDIVISION – SHAFT ROAD LLC., Review of plans for final approval
SBL# 93.3-1-21.1 – Review Site Plan for Final Approval

Chairman read letter dated 6/15/2018 from Barry Medenbach from Board of Health (on file). Applicant is requesting conditional preliminary approval. Letter from UCHD approval read (on file).

Reference was made to a letter from Town of Gardiner Supervisor designating approval to sign to conservation easement based on language changes as soon as application blanks and details can be filled.

Mr. Freiband had no submittal review notes. He stated that the applicant was provided with a memo date 3/13/18 with notes (on file).

DOH is ready to sign the plans.

Applicant inquired about adding notes to maps. Mr. Freiband and Chairman clarify applicant's options to "install the driveway pursuant to specs, and have it approved by highway superintendent prior to signed maps by the board or have applicant's engineer prepare a construction estimate and then bond that. Town would hold that until the time it meets requirements of the highway superintendent. And then bond would be released."

Discussion that a public hearing is required on the Final subdivision plat. Applicant inquired about waiving public hearing due to "minor changes".

Vote taken to waive Public Hearing Public Hearing scheduled for July 17, 2018.

- 3 aye votes
 - 4 nay votes
- Public Hearing to proceed conditional on receipt of plat and forms.*
- *Motion to hold final plat Public Hearing (subject to receipt of document by 7/1/18)- Mr. Friedle*
 - *Seconded- Mr. Sokolov Motion carries unanimously*

Discussion about the payment in lieu of parkland. The Applicant was aware of the requirement.

Mr. Freiband request there be a clearer explanation of the law on the use of this land in regards of recreation. Mr. Brennan will do some research.

3. Gardiner Industrial Development Corp.
SBL# 93.4-6-1.1

Memo from Mr. Freiband read (on file) dated 6/15/18.

Chairman informed applicant that he did not request a time extension, his application expired. Applicant was not aware of the procedure. New Application for minor (2 lot) subdivision is not required, just fee of \$350.

- *Motion to grant new conditional final plat approval- Mr. Friedle*
- *Seconded- Mr. Libolt Motion carries unanimously*

- *Motion to waive final public hearing of the renewed application- Mr. Libolt*
- *Seconded – Mr. Friedle 6 aye votes- 1 nay vote Motion Passed*
- *Motion to grant conditional plat approval subject to the revision of the road improvement plans as outlined by Morris Associates letter and Town Board approval of the bond for the remaining parcel along the road, reservation offering, and deed - Mr. Libolt*
- *Seconded- Mr. Sokolov Motion carried unanimously*

NEW BUSINESS

1. **Lands of Richard & George Majestic and Carol Majestic Lohrman:** SBL# 93.4-3-10.117 Minor subdivision and Lot Line Revision

Letter read from Mr. Freiband (on file) dated 6/8/2018.

Applicant needs to be referred to UCPB.

Mr. Freiband recommends applicant go to County Highway for referral.

Applicant needs to submit an Ag Data Statement.

- *Motion to schedule a Public Hearing July 17, 2018- Mr. Friedle*
- *Seconded- Mr. Hayes Motion carries unanimously*

Discussion of language to be placed on plat and possibly in deed limiting commercial traffic off of Majestic Woods Drive. Mr. Freiband to propose language.

2. **Lazy River Campground:**

SBL # 93.4-1-23 & 24- Review Site Plan Application for proposed swimming pool feature.

Letter read from building inspector (on file) dated 6/15/2018.

Notes from neighbors and \$2,000 Escrow check received and noted for PB.

Letter read dated 6/11/2018 m (on file) from Principal Planner.

Discussion of violation of special permit or mass gathering law that occurred with food truck event. Applicant acknowledged lack of special permit, or mass gathering permit as they did not anticipate the size.

Site visit scheduled for Tuesday June 26. Building Inspector to be invited/included.

- *Motion to schedule Public Hearing subject to completed documents- Mr. Friedle*
- *Seconded- Mr. Hayes Motion Carries unanimously*

INFORMATIONAL

1. Keith Libolt –

15 Steves Lane - SBL # 93.4-6-6 - Review of Site Plan dated 7/21/2006

Mr. Libolt removes himself from Planning Board table to other side to be considered as an applicant.

Applicant has a buyer inquiring about lot use. Discussion of whether 2006 site plan was still valid. Reviewed 220-29. Planning Board established that the site plan is still valid.

Discussion whether the proposed use was one that was allowed under the former zoning and is grandfathered under 220-29 or if it should be considered a new use, possibly subject to a special use process. Established need to contact CEO/Building Inspector to request confirmation.

COUNTY PLANNING BOARD REPORT CORRESPONDENCE

None

MINUTES APPROVALS

- Motion to approve April minutes- Mr. Hayes
- Seconded- Mr. Libolt
- Mr. Friedle- Recusal 7 aye votes- Motions Passed

ORGANIZATIONAL MEETING

Bylaws to be reviewed. David Brennan will review, revise, and circulate.

ADJOURNMENT

- Motion to adjourn – Ms. Richman
- Seconded – Mr. Sokolov Motion carries unanimously

Submitted,

Mariela Roman

Mariela Roman
Planning Board Clerk

Approved: 8/21/2018
Filed: 10/23/2018

Approved by - Michelle K. Masher Town Clerk