

Gardiner Town Planning Board
Meeting Minutes
September 18, 2018

Present: Chairman- Paul Colucci, Vice-Chairman-Keith Libolt, Secretary- Carol Richman (*under protest*), Clerk- Mariela Roman, Joe Hayes, Josh Verleun, Marc Moran, John Friedle

Absent:

Ray Sokolov

Others Present:

- James Freiband - Principal Planner
- Dave Brennan - Legal Counsel
- Marc Millsbaugh- Sterling Environmental

Meeting Called to Order: Start time- 7:01 pm Roll Call Taken

PUBLIC HEARING HELD OPEN

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

Site plan review.

Applicants running late.

Public Hearing held open -notice read.

Discussion Continuation at 7:42 PM

Resident Tom Carano makes official FOIL requests, particularly in well test documentation. He has been waiting for a year for supporting documentation. Mr. Carano stated that he will submit his written request to planning board and town board.

Resident GERALYN TORRONE states concerns similar to Mr. Carano regarding well water. Second concern is noise levels from this project.

Resident John Bohlen addresses board about each of the 7 stipulations requested.

Also states his negative opinion of the applicants.

Mr. Bohlen makes some strong negative comments about the town planner's work.

Mr. Colucci asks the resident to be respectful or will be asked to leave.

Mr. Bohlen asks the board to not "cherry pick".

Resident (of McKinstry Rd) states his concern about the requested setback.

Resident Paul Henkey states his opinion about the applicants. Supports change and loves his neighbors.

Resident Mike MacElhiney makes reference to special permit. Requests that the applicant makes a statement or addresses how their project will benefit the town, including costs.

Makes comments about some of the test's accuracy. Asks the board to ask the developer to present their weaknesses.

Resident Hillary Adler refers to code. States her concerns about written findings being mandatory. Property in RA district. States concerns of the mixed used lands of commercial and residential. Wants to see experts comparing like properties, "apples to apples".

Resident Laura Trifilo requests that board adheres to 7 requests. Makes reference to excessive growth of Town of Gardiner

Mr. Freiband reads his memo (on file) date 8/13/2018

Resident Mr. Carano states that Mr. Freiband now made a new reference (item 8 in his memo) to items not available.

Resident Judi Boeseck addresses her concerns about her property value diminishing and potential for trespassing. For her concerns, Mr. Boeseck requests the developer repairing of fence, installation of a berm, a double row of a deciduous tree for noise reduction, and establishing own fire department and EMT.

Resident Suzanne Laverne states her repeated concerns. Expresses through her research that Planning Board establishes something more effective than the Building Inspector to enforce issues such as trespassers, traffic and noise violators.

- Motion to keep Public Hearing open by Ms. Richman
- Seconded by Mr. Verleun

Discussion had as to whether Public Hearing can and should remain open in regards to timelines necessary.

2 Yes- 3 No
Motion Fails

- Motion to close public hearing by Mr. Friedle
- Seconded by Mr. Moran

Discussion had regarding the consideration of Public Hearings occurring on holidays.

- Motion Carried

Discussion had establishing that Planning Board has 62 days to process and applicant has the opportunity & responsibility to respond to public.

Applicant inquires if there are issues they need to address.

Ms. Richman asks if applicant has a Wildlife Management plan.
Applicant replies that there is a fenced in area as a nursery to prevent animals coming in.
Applicant states that a biologist has written a report for endangered species concerns.
Ms. Richman requests a Wildlife Management Plan.

Mr. Colucci encourages applicant to look thoroughly at points addressed such as existing fence, trees for noise. Mr. Colucci also expresses his landscape concern for the borders.

Resident Hillary Adler requests that a process list or sequence of application procedures be available. Mr. Colucci stated that Mr. Freiband will make a memo for the general public within the next 7 days.

Ms. Richman states her concern for houses close to the river.
Applicant addresses that the items on the drawing are not houses.

NEW PUBLIC HEARING

None

OLD BUSINESS

2. Shaft Road, LLC Subdivision, SBL # 93.3-1-21.1

Lands situated within the RA Zoning District along 85/91 Shaft Rd and South Mountain Road.

Mr. Freiband read his memo date 8/23/2018.

Mr. Brennan read his 9/14/18 revised Final Subdivision Plat Approval.

Discussions had about the modifications and additions.

Discussion had about a clear to read legend on map, particularly wetlands.

Discussion had about item b to clarify verbiage.

- Motion by Mr. Friedle to approve document of Final Plat Resolution as amended dated 9/18/2018.
- Seconded by Mr. Hayes.

4 votes Yes

1 Abstention – Carol Richman

Motion Carries

3. Jeff Frey/Sound and Dance Studio: SBL 93.4-1-7.300

Site Plan Review

Review of operations model.

Applicant explains the lot line revision (elimination of a line)

With less disturbance, extra parking.

Applicant will look for approval of two new buildings.

Mr. Colucci inquires of business proposal.

Mr. Colucci read portions of applicant's "Operations Model" on file dated 08/2018.

Mr. Colucci requests of applicant to submit completed set of plans, including draining plans.

Applicant engineer explains that they would like to keep drainage plans to the end of process so as to not have burdensome changes at every step.

Mr. Colucci responds that the consultant engineer site plan is not complete until the engineer deems so.

Mr. Freiband explains that at each step there may be some changes and suggestions.

Mr. Colucci would like complete site plans before Planning Board presents it to the public.

Applicant requests that the process is effective. States that he is appreciative of the efficient use of resources.

Mr. Freiband states his opinion that engineer needs to be part of the process steps and not just at the end to finalize.

Mr. Brennan inquires about the placement of buildings.

Applicant explains the need of septic placement relative to the buildings.

Applicant explains and clarifies that the facility is not a performance studio.

Discussion had about parking.

4. Gardiner Industrial Development Corp./Osprey Ln.

Review Resubmission of 2 Lot Subdivision and Proposed Dedication documents.

SBL#93.4-6-1.1

Mr. Colucci asks Mr. Freiband regarding documents in need of review.

Mr. Freiband states that the Town Board needs to review the status of construction and determine amount of maintenance.

- Motion to refer Gardiner Industrial Development documents to Town Board made by Mr. Hayes
- Seconded by Mr. Friedle
- Motion carries unanimously

5. Lazy River Campground, SBL # 93.4-1-23 & 24.

Review site plan application for proposed swimming pool feature.

Applicant not present.

NEW BUSINESS

None

INFORMATIONAL

Robert O'Brien

Subdividing property located at 655-57 S. Mountain Road.

SBL #93.1-1-32

Robert O'Brien representing the property and Peter Cody present.

Mr. Colucci informs Mr. O'Brien that Planning Board cannot discuss another person's property without written consent.

DISCUSSION:

Mr. Colucci informs the board of a discussion of Planning Board becoming a legal body discussed at Town Board. Members need to read document and have signed by next meeting.

County Board Correspondence

None

Approval of Minutes

- Motion to approve July 17, 2018 Meeting minutes as edited made by Mr. Moran

Discussion to address names missing member name on July.

- Seconded by Mr. Hayes
- Motion Carries

Executive Session

Adjournment

- Motion to adjourn made by Mr. Hayes
 - Seconded by Mr. Moran
- Motion Carries.

Submitted,

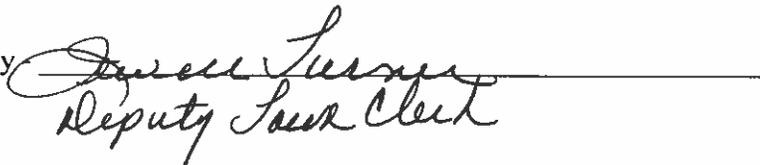


Mariela Roman
Planning Board Clerk

Approved: 11/20/2018

Filed: 3/12/19

Approved by



Deputy Town Clerk

