Meeting called to order: 7:02pm

Members present: Chairman Serotta, Konrad Mayer, Dot Wierzbicki, Jackie Elfers, Bob Conklin, Carl D’Anotnio, Barry Sloan (late arrival 7:26)

Also Present: Dave Donovan-Attorney, Alexa Burchianti-Secretary, John Nosek-Engineer

Next meeting of the Planning Board is scheduled for November 1, 2017

**Chesterdale Estates-90 Day Extension**

Motion made to grant 90 day extension. Motion made by Dot. Second by Jackie. Motion carried 6-0.

**Gibson Hill 13-Site Plan Review**

David Getz from Lehman & Getz and David Griggs from ERS Consultants appeared before the board on behalf of lot 13 along Beverly Rd. Last time before the board was in 2014. Originally didn’t get approval from the Health Department at that time. It was originally an omit lot because of the soils and the septic. Over the last few years they have been working with the Health Department to find an area that would be suitable for the new sewage disposal system. They have a letter from the Health Department saying that the system is acceptable. However, they don’t have the signed plans because they wanted to go through the Town process first. And get Planning Boards approval first. In 2014 there were comments from the engineer, and they have responded with additional plans and details. Studies from 2 consultants. David Griggs and ERS Consultants did a delineated wetlands on the site, looked at endangered species habitat. The second, the site came up to be potentially sensitive for archeological resources. Earlier this year Tracker Archeology out of Monroe did a phase one study, they submitted a copy of that. Their conclusion that no resources were found and no further study was recommended. Here tonight to advance the application.

Al Fusco Letter:



SHPO was sent out.

Wetlands are indicated on the site plan. There is a 50ft no disturbance zone marked along the stream. They will put shrubs along that 50ft no disturbance zone to remind the property owner. No work at all is proposed.

There is no endangered species habitat out there. No bog turtles. At least over 300ft there is no habitat which is what the DEC requires. No development within a potential 300ft.

David Getz: Stated they plan to add a note, there are some trees on site that might be potential bat habitat. (nesting site) for Indian bat or long eared bat. If they are present at certain times on the site the DEC requires they those trees only be taken down during winter months. So that note will be added to the plan just in case.

Chairman Serotta: The height of the building, the topo of the building, the septic area compared to the stream what’s the difference there? Dave Getz: they had 2ft contours on the plan. The floor elevation of that floor is 624. The stream is around 615 at the top of the bank. So they are 9ft above the top of the bank. The plans specifically say no basement.

No 239 action is required. No public hearing required as well.

Poll Board for comments and questions:

Bob: Would like to see s flood plain map in.

Jackie: on the 50ft buffer zone, what carries forward when the sale of this lot goes so the homeowner will know not to touch it. David Getz: It will be on the plans and shrubs will also be planted the length of the stream corridor. Dave Donovan: That is an excellent point; we could require a declaration to be filed with the county clerk’s office so that get in the change of title indicating it’s a “no build area”.

No further comments or questions.

Scheduled for next meeting November 1, 2017. Need letters from SHPO. Bring us the panel.

If they come in with everything they are supposed to do, Dave Donovan will draw up the resolution for the next meeting.

**Clean Energy Collective-Site Plan Review**

Joe Shanahan Director of Real Estate & Permitting for Clean Energy Collective. Jim Ullrich from Alpine Environmental Consultants, for proposed community solar project located at 215 Black Meadow Road.

They have provided revised site plan as requested, Decommissioning Plan, series of photos from different views. Also submitted a letter regarding endangered species in SHPO. They received a consolidated response from SHPO. Jim Ullrich responded to that yesterday. That process is ongoing.

Joe spoke about the decommissioning plan, the removal cost estimate of $62,000. Along with the decommissioning plan which basically proposes that will post 125% of cost estimate which is $77,500 in a manner of surety yet to be determined and acceptable to the board. Then we can move forward. They would like Lead Agency declared by the Planning Board. And would request a public hearing being scheduled after everything is addressed this evening.

Jim Ullrich stated submitted revised plan in response to Al Fusco’s comments from the last meeting. They “beefed” up the landscaping. The equipment pad is shown on the plan, shortened up the impervious area. The disturbance is now under .04 (four tenths) of an acre. They are below the 1 acre threshold.

Chairman Serotta pulled up all the pictures taken for view shed on visual impact. Jim explained where each photo was taken. All photos were taken from all different distances and areas. Neighboring property, Black Meadow Rd, Odyssey Drive and where the proposed sub-division is located.

Barry: How far is that house on Odyssey Drive? Chairman: about half a mile. Barry requested that that house be invited to the public hearing.

Will increase the distance of notification for the public hearing.

Poll Board:

Barry: Fencing detail? Jim: Chain link, galvanized steel color black. Barry: can they put operation of maintenance that they mow it once a month.

Konrad: What is that building? Jim: Building that was approved but not built yet.

Dot: Would suggest putting trees in those 2 gaps from the pictures.

Carl: The proposed entrance is there pavement? Jim: No Gravel but will be stabilized.

Bob: Going to abstain until the ordinance is filed.

Motion made to declare Lead Agency. Motion made by Barry. Second by Konrad. Motion carried 5-0. 1 Abstain by Bob Conklin

Motion made to set a public hearing for November 1, 2017. Motion made by Dot. Second by Barry. Motion carried 5-0. 1 Abstain by Bob Conklin.

**Joel Werzberger-Site Plan Review**

Michael Miele Engineer for Joel Werzberger (Global Lighting Inc.) located at 191 Lehigh Ave. Here to put a site plan together to address parking requirements. Not changing anything, except would like to widen the entrance way. There is an existing covert there that they would like to extend. Also, provide screening where the storage area is and more delineating where the parking and septic is. No parking or driving will be going over the septic. Other than that the site isn’t changing much.

Everything is gravel right now. They will remove some and put grass where the septic is so it’s clear where the entrance and exit for parking is. They wish to keep it gravel. Understands that board usually asks for paved however would ask if they could keep it gravel if possible.

Chairman: First of all for the record, this went in front of the Zoning Board for variance to go from 5 acres to 1. But that was rejected. The Town since then, Chairman stated was informed by the town building inspector. The Town placed a letter in the file which grandfathered saying this business is a pre-existing business. And has grandfathered the business use based on the size of the lot. So that is front in front of us now. What the Town has asked Michael to do is to come in and double check the site plan and make sure it conforms to other things such as parking, lighting, landscaping, truck traffic. Chairman did request a copy of the letter.

Chairman: What type of business is this? Mike: Commercial lighting company only installation. Chairman: How many employees? Mike: I can get an exact number but I believe it’s 5-6 he has room for like 10 trucks, but will get an exact number. Chairman: Is he coming in with big tractor trailers? Mike: No, vans, commercial vans. Chairman: What about his deliveries? Mike: I will find out about that also, I think it’s vans but will clarify to be sure. Don’t believe there are heavy trucks or tractor trailers.

Chairman: The parking as far as the gravel goes, it’s important to know how many he really needs. Anything over 10 (I think) needs to be paved. But in the past we have done what’s called shadow parking. If you don’t really need it you can reserve an area for future parking.

Dave Donovan: I think we need to gets our arms around the extent of the non-conforming use that’s being allowed. The law of non-conforming use is such that what is permitted is what’s occurring on the property. If there is a modification to that then you have to take that up. I don’t know what the extent of the non-conforming use that is allowed. Chairman: I am waiting to see the letter. Dave Donovan: I don’t know if we know exactly what we are looking at. I guess you are telling us that this is what is historically bound to the property to the best of your knowledge. Mike: yes. Chairman: Did they give you a copy of the letter? Mike: No.

John: This is clearly a change of use. It’s going from a residence to a lighting company. Right now it’s a residence correct. Chairman: No, residence use has been abandoned. John: So the contractors lighting is pre-existing. Dave: well that’s what we are being told we don’t have the building inspectors determination. Which we are seeing a little bit in the dark without that determination in front of us. Chairman: Maybe this is a little premature. We need facts. Tell us what kind of traffic is coming in and out. Number of employees, hours of operation. Mike: I will address all the comments.

Al Fusco letter:



John stated need culvert detail, identify dumpster area and enclosure. Not sure if there will be outside storage. If there is show it on the plans. If not note it on the plans. Hours of operation on plan. Details on sign. There is no site improvements but Al has note in letter about silt fencing for erosion control. Mike the only improvement would be putting in the new culvert and widening the entrance that’s it. Otherwise there is no site improvements, will put that on the plans. John: Screening, and change the bulk table on the plans it’s the I zone.

Will reschedule you for November 1st, get everything answered.

Poll Board:

Barry: Need to show lighting plan, and distance from any other property.

Carl: The building that says framed dwelling on the plan is that where they are doing all the fixture work? Chairman: That’s office, it use to be a residence. Carl: so are they just storing lighting or are they assembling the lighting? Mike: No its just storage, they put it on their trucks then go out and install it at the job sites.

Bob: I will be very interested in seeing the letter from the building inspectors office and who signed it.

Alexa sent out new classes for the fall. Let her know who is interested.

Meeting adjourned.

Respectfully Submitted,

Alexa Burchianti

Planning Board Secretary