Meeting called to order: 7:00pm

Members present: Chairman Serotta, Bob Conklin, Carl D’Antonio, Jackie Elfers, Dot Wierzbicki

Absent: Mark Roberson, Larry Dysinger, Al Fusco

Also present: Dave Donovan-Attorney, Alexa Burchianti-Secretary

A motion was made to adopt the minutes from October 16, 2019. Motion made by Dot. Second by Jackie. Motion carried 5-0

Next meeting of the Planning Board is scheduled December 4, 2019. On that meeting should be Chester Hill regarding the mine. DEC is the lead agency and has given them a valid permit a few years ago. We will go over what the planning boards roll is at the next meeting.

**Ridgeview Estates– 90 Day Extension**

Mark Siemers from Pietrzak & Pfau is present for the applicant. This is a 2 Phase project, the original approval was issued as an overall approval for the subdivision. Since that time they created the Phase 1 map and filed in April of this year. Now they are asking for an extension to maintain phase 2 while phase 1 is being constructed. So they can come back in and file those maps at a later date.

Dave Donovan stated that Section 83-13 D - “plat shall remain in effect for 3 years from filing date”

Mark Siemers stated they filed in April of this year (2019)

They will have to come in for an extension in 3 years.

**Meadow Hill– Site Plan Review**

Mark Siemers is also one of the project engineers for Meadow Hill. Since the last meeting Meadow Hill submitted an endangered species report (the report was posted on line) they took a look at everything from bog turtles to different rare species. It was determined that there wasn’t anything of any importance. Al took a look and review it and he submitted a letter.

Al Fusco letter 11-4-19:



Chairman stated that he asked Al to make a final determination to whether the stream is a intermittent stream or full flowing stream. Code calls for 50’ buffer if it’s a full flowing or constant flowing (perennial stream) or a 25’ buffer if it is an intermittent stream. Chairman stated that he showed pictures from July 12th through October no water was flowing across Trout Book. Chairman stated that he asked our licensed engineer who has credentials to go ahead and look at this. Not by a visual assessment but to give us some kind of report. Chairman stated that he spoke with Al on the phone; Al stated to him that using the DEC mapper and using DEC data that he found it to be an intermittent stream, he gave the stream flows, when it typically flows when it doesn’t flow and determined this to be an intermittent stream. Which would require a 25’ buffer. We have no other report from anybody with any kind of credentials that challenges that.

Chairman stated this property also came into question if this property was part of segmentation. So Dave Donovan was asked to look into it.

Dave Donovan stated there was an allegation of segmentation because there is nearby property that is in common ownership. He reviewed the land holdings, there is a 20 acre parcel in question, which in not contiguous to the other land holdings he took a look at that, went through the definitions what an action is under SEQRA what segmentation is under SEQRA and provided the board with his opinion relying upon a couple different court cases. Mr. Donovan read portion of his letter to the board. There are 4.8 acres on one side and on the other side of the road there is no development proposed and contiguous to that the lots are have access on a different road. So in his view, this is not segmentation. Reviewing just the environment impacts relative to this 3 lot subdivision he would point out that if and when the 26.9 acres parcel is developed that would require to comply with SEQRA regulations. Just one other thing aside, segmentation is not per say prohibited; segmentation can be allowed so long as the subsequent environment review is no less protective of the environment as reviewed initially. So his opinion is based upon the definitions, based upon what on the ground and based upon case law this is not segmentation.

Chairman polled board for further comment or questions. No further comments or questions.

Chairman Serotta stated that this project has been reviewed by 7 planning board members, a town engineer, the highway superintendent; he personally has made 10-15 trips out to the site. The highway superintendent has made 7 or 8 trips to the location. They have documented with pictures. We had endangered species reports, wetland reports, everything has come in. We have dotted our i’s and even more so on a typical 3 lot minor subdivision.

Motion was made to adopt a Negative Declaration. Motion made by Jackie. Second by Carl. Motion carried 5-0

Dave Donovan reviewed the Resolution and the conditions.

Motion made to grant Conditional Final Approval. Motion made by Dot. Second made by Jackie. Motion carried 5-0

**Westervelt/Synergy– Site Plan Review**

Jeremy Valentine from MHE Engineering is present.

Al Fusco letter 11-6-19:



DPW response email 11-6-19:



Chairman stated that the only thing they would be waiting on is a final approval from DPW. DPW stated in the email that it would only be minor notes or adjustments to the plan.

Chairman polled the board to see if they were comfortable issuing conditional final approval based on getting a final letter from DPW. With the conditions being that the DPW is completely satisfied before we sign prints. Board was unanimous on issuing conditional final approval.

Motion to grant a Negative Declaration. Motion made by Bob. Second by Carl. Motion carried 5-0

Motion made to grant Conditional Final Approval based on receiving the final approval from DPW. Motion made by Bob. Second by Jackie. Motion carried 5-0

**Ridge Road Equities– Site Plan Review**

Kirk Rother engineer for the applicant. Steve Esposito had a conflict tonight so Kirk is the engineer for the project so he is covering the meeting tonight. 10 lot subdivision. Approximately 22 acres. Driveways were staked, the driveway site distances dictated the lot configurations. The plan has changed particularly lot 3 the driveway location. They did one round of soil testing, they still need to do the 2 deeps and 2 percs on each lot. Lot 6 Al had a comment on the lot width. Kirk stated they are kind of stuck with what they have as far as existing frontage on Kings Hwy. He agrees where he has that setback line shown which is 60’ back which is the minimum required that lot width is about 120’. Kirk stated he believes the board has some flexibility to increase that minimum setback. What he proposes is that they measure 60’ off of (pointed out on the screen) so it would give them in the neighborhood of 270’ of lot width.

Chairman wanted to know if with that would they still have the correct building envelope? Kirk stated that they would. Chairman brought up the code on the screen, 98-2 definition of lot width, chairman read.

Al Fusco letter 11-6-19;



Kirk asked if the board could submit to the DPW, first submittal needs to come from the planning board. Kirk reviewed the letter from AL. Kirk discussed mitigating one of the houses that would technically be on the ridge. Possibility of moving the house off of the ridge. Will add the ridge line on the plan.

SWPPP and stormwater he will speak to AL. The DEC regulations for stormwater for single family subdivisions on individual lots the threshold is 5 acres of disturbance. They will probably exceed that. They are hoping for a way to accomplish without having 1 central detention pond that the town will inherit as a headache and do the drainage district. Kirk wants to try and segment the stormwater management and spread it out among all the lots which is encouraged by the DEC.

Chairman brought up the minutes from December 5, 2018 which was the last time Steve was in front of the board. Discussed switching the wells to the back and septic to the front because of the salt on the roads and contamination in the winter.

Lot 10 Sheet 4 covert pipe under the driveway. 18” pipe. Need to make sure it’s ok with Anthony.

Culverts and swales were discussed. Chairman stated that he can call Anthony directly to discuss.

Polled board for comments:

Bob: Just curious and concerned with the intersection, curious to see what DPW is going to say.

Chairman stated that just for the record there is going to be a big warehouse across the street so they will have to look at the cumulative effect (2) one will be exiting out on to Bellvale Road and the other on to Kings Hwy. They haven’t come back yet, they have some studies to do. That project has not been submitted to DPW yet.

Email minutes from 12/5/18 to Kirk so he has them from the last meeting when they were before the board.

Meeting adjourned.

Respectfully Submitted,

Alexa Burchianti

Planning Board Secretary