Meeting called to order: 7:03pm

Members present: Chairman Serotta, Dot Wierzbicki, Larry Dysinger, Carl D’Antonio, Bob Conklin

Absent: Mark Roberson, Jackie Elfers

Also present: Alexa Burchianti-Secretary, Al Fusco-Engineer

A motion was made to adopt the minutes from December 5, 2018. Motion made by Larry. Second by Dot. Motion carried 5-0.

Board updates: There will be another meeting on Great Wolf with Blooming Grove in about 3 weeks. They are working on group zoning and comprehensive plans. Changes will have to be made. This is going to take time, just in the talking stages.

Next meeting of the Planning Board is scheduled for March 2, 2019. The February 20, 2019 meeting is cancelled.

**Simon Ostreicher– Site Plan Review**

Michael Morgante -Engineer for the applicant. Put together a rough grading plan and made some changes. Proposed 3 lot sub-division in the IP Zone. Showed the existing dwelling and conditions, DEC wetland location. Showed the steep slopes leading to the wetlands.

Proposal for 2 40,000 sq. ft. warehouses on 2 of the lots. All zoning setbacks are shown on the plans and meet zoning code. 100ft buffer from the DEC wetlands. Proposing wells and septic for sanitary disposal. (Easterly building) Showing a 2nd entrance off of Kings Hwy that would allow someone to circle around or exit and enter from either location. Loading dock on plan (2 bays). They will submit more detailed plans once they get to that point. (Westerly building) only has one access point off of Bellvale. They also have 2 bays. Parking shown on the front of the building.

The grading plan showed some cross sections. They had percolation test witnessed by planning board engineer but they may have to be re-done because they are being relocated on the plan. They will work out the stormwater prevention plan after this meeting.

Chairman Serotta stated he would like to see less parking, what we have done in the past is shadow parking. You are doing what the code say by calculating by square footage. But how much do you need? What we have been allowing is, you set aside areas, where in the future if more parking is needed then you can increase your parking area. Just like an expansion area. Chairman stated he would like for them to come up with a realistic number that’s needed for parking. (on both warehouses). There are 2 homes on the Bellvale side, pay particular attention to section 98-19 especially (d) regarding the landscaping. We will submit this to Karen Arent for her opinion. Michael stated that he will talk to her first also. Chairman also stated to pay attention to 98-18 regarding the noise factor and traffic.

Access roads would have to go to the DPW for review and plans will also get referred to the OCDP when ready. They will want to see stormwater, so they won’t review it without that.

Al Fusco Letter 1-28-19:



Al Fusco went over his review letter.

Chairman also asked on lot 1 what are they doing with the barn? Are they going to fix it up. Michael stated that he believes they are just leaving everything, he doesn’t believe there are any plans for rehabbing it at this time.

Polled board for comments and questions:

Larry: A lot of concerns with lighting. Make sure it is downward facing and proper landscaping. Felt the same way about parking that it is excessive. What are hours of operation? Michael stated he will check on that he is not sure. Larry: Biggest concern is Kings Hwy major thoroughfare here, during rush hour gets a fair amount of traffic. He would like to see a turning lane. And would like to see that for both buildings. Michael stated that he will look into that, however they would probably have to ask DPW.

Dot: Do we know what’s going into these warehouses? Michael: no, not yet. It’s to early to say right now. They might just rent it out. Dot: is it going to be a 3 shift? Michael: Will get back to the board on the hours of operation.

Carl: His concerns were brought up.

Bob: Larry asked his questions about the one lot.

Board is ok with Karen reviewing the project when ready.

**Broccoli Patch– Site Plan Review**

Ross Wingolvitz-Engineer for the applicant Lou Donnelly. Proposal for the distillery, catering facility and residence. Property address is 1355 Kings Hwy.

The engineer submitted revised plans and a response letter to answer some of the questions. The buffer specifically between the cemetery and that would significantly hamper development of the property to construct the catering facility. They are going to request an area variance regarding that. They did submit to SHPO, they did not raise and concern. They added the buffer in the rear and moved the driveway around the building, they reconfigured parking and the parking calculations, and showed the buildings broken down in uses. 80 parking spaces proposed. 79 required. This is still concept level. Bog turtle was a hit on the eaf form. In the spring they will request to look. Flood plain was also added to the plan. Lou Donnelly agreed to pave the parking lot, however was in hopes that he wouldn’t have to. Hours of operation has been added to the plan Mon-Sun 11am-12am. Discussed how catering is not defined in the code, there opinion it is like a restaurant.

Chairman Serotta spoke regarding the cemetery setback, and introduced the ZBA Chairman Vincent Finizia who Chairman Serotta asked him to be present for the meeting. The biggest question that wasn’t answered in the letter is regarding 2 commercial buildings with 3 uses on one lot. Chairman Serotta stated he couldn’t find anything that would allow that. He will here from the attorney’s opinion and the rest of the boards opinion. We do have a mixed use in sugar loaf, where you can have a commercial business and a residence within the same building. This project is calling for 2 separate buildings with one being mixed use and the other a distillery.

Counsel Donovan wasn’t present for this meeting.

Mr. Winglovitz stated that he would address that as well. Chairman Serotta stated it’s difficult to get a use variance, but we may have to send you off to the ZBA.

Chairman also brought up the point that wrapped around the lake that around the lake is also SR-2 zone which is on his property as well so now the property is 2 zones and there are different buffering for SR-2 which could eat up a portion of the property. That is something that Chairman suggested they also take a look at.

Polled board for comments:

Larry: Doesn’t see the drainage and the ponds.

Chairman Serotta stated that that was a good question but they may not even get to that point. We need to know how you feel about sending this off to the ZBA.

Larry: First reaction didn’t think to much of it, until it was brought up. And feels it should go to ZBA.

Dot: Feels it should go to ZBA

Carl: 2 different buildings? So could it be valid if it was all in one building? Is that an alternative? Chairman: Well it would be 3 uses in 2 different buildings, but the alternative isn’t what they are proposing and our attorney isn’t here this evening.

Bob: Definitely need ZBA interpretation. It it’s not permitted it’s prohibited.

Chairman will write a referral letter to the ZBA board.

**Tin Barn Brewery– Site Plan Review**

Jeremy Valentine from Lehman & Getz Engineering present to represent the applicant Dale Van Pamelen of Tin Barn Brewery. They are now proposing the brewery in the Jenack auction building located at 62 King Hwy Bypass. They want to tie the water and sewer into the municipal system, there are some unknowns on that. There is a sewer line that no one knows where it goes. He has been told that it is a gravity line that is 6” with no manholes. All the houses up on DeRose have septic tanks. Was surmising that it use to go up in the field in the back by the stream where the septic for sugar loaf back in the day use to be. There is a line that goes all the way down to Harriman sewer district 1. Pointed out to where on the plan and where the water main easement is and where they could tie in. They are in talks with the Supervisor Robert Valentine and the board.

Al Fusco letter 1-25-19:



Al reviewed his letter. They need to do SEQRA. Need to do SHPO, wetlands and habitat. Just want to make sure nothing is challenged. Parking didn’t see any handicapped spaces. Landscaping and Lighting, just identify what is there. Give us a sketch of the internal layout. Otherwise no issues.

Chairman stated this is a 239 referral and DPW. Which we have already sent up because there was enough with it being an existing building. The next thing would be to set up for a public hearing. Mr. Valentine formally requested to set a public hearing.

Chairman stated to make sure the current lighting on the building is conforming, shining downward. Chairman also stated that he feels that there is no need for additional landscaping unless they want to. This isn’t a Karen Arent issue.

Polled board for comments and questions:

Bob: Mentioned the main line from the pump station, he believes that is only a 4” line from pump station to Kings Hwy. He doesn’t want the applicant to get caught up in a bind because of capacity issue. Need to make sure that line is suffice to accommodate.

Larry: Just conform to current lighting. Everything else is good.

Motion made to set public hearing for March 6, 2019 at 7pm. Motion made by Carl. Second by Bob. Motion carried 5-0

**Lake Station Holdings– Work Session**

Larry Torro engineer present for applicant. Proposing seven lots owned on Davidson Drive to combine them together to make 1 lot and build a 276,000 sq. ft. warehouse. Larry pointed out on the plan the original subdivided lots. This is just a concept.

Al Fusco Letter 1-29-19:

Al stated that he want to ensure that the adjacent property didn’t have any easement over that proposed roadway. The existing lots show that roadway and connecting to the other parcels, make sure there is no easements coming from that adjacent parcel. Would mention the interior of the structure. Ie… are they all truck bays? Are they just open door on one end and drive the trucks through? We need to see what is being proposed. Identification of infrastructure, realizes this is just a sketch but just identifying what will need in the future. Traffic things of that nature, parking etc. Chapter 98 of the code you got about 80 things to do. But the biggest thing is to make sure that other parcel has no rights to cross that. You’ll need a survey anyway. Mr. Torro asked about shadow parking. That if the spaces could be green or woods. If it calls for 552 by the code and we approve 300 to be paved the rest can be shadow parking but would have to be deeded or save and never built on. Also storm water would have to reflect the 552 spaces, so it wouldn’t have to be done again if additional parking is needed to be added.

Only can get waver of the actual number of parking spaces would find relief from the ZBA.

Chairman stated he should pay attention to chapter 98-18 &19. Which talks about buffering and landscaping and noise and traffic. There are also wetlands there.

Polled the board for comments & questions:

Larry: truck traffic, number of employees, impact on the roads, what kind of daily volume, noise.

Carl: Do we know what the warehouse will be used for at this point? Mr. Torro: No, but that will be part of the numbers when they are ready to come back.

Bob: Do they know if Davidson Drive wasn’t intended to go through? And there aren’t any rights to connect and go through. Mr. Torro stated he was going to look into all of the road issue and the easement etc.

Once they make a decision they will get in touch with Alexa.

Chairman discussed that we should start looking at the chapter 83 subdivision of land and codes, and start reviewing and making suggestions to the CPP Committee.

Site Plans never expire and Subdivisions do. Not sure that is a good thing. The building department or Al can try and force things. Storm water has substantially changed yet site plan never expires. Perfect example, the site where they want to put the distillery has a signed approved site plan for a brewery. A whole bunch of things change, DEC rules and regulations and we should all take a look and see what needs improving. And instead of cancelling a meeting we can sit and discuss this. Even if we do it chapter by chapter section by section.

Al Fusco would like 5 minutes on the next agenda to discuss storm water and MS4 it’s a requirement that the town have some public education on that if he can have some time on the next agenda.

Meeting adjourned.

Respectfully Submitted,

Alexa Burchianti

Planning Board Secretary