Meeting called to order: 7:10pm

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

Absent: Barry Sloan

Also Present: Dave Donovan-Attorney, Alexa Burchianti-Secretary, Al Fusco-Engineer

A motion was made to adopt the minutes from April 4, 2018. All Public Hearings done by Michelle Conero-Stenographer. Motion made by Konrad. Second by Jackie. Motion carried 6-0.

Next meeting of the Planning Board is scheduled for May 2, 2018

First item on the agenda is:

**Hills of Chester-90 Day Extension**

Tom DePuy is present to represent the applicant. Tom did a re-delineation of the wetlands because the project sat a while and was presented to Al Fusco. Only 1 lot lost a little useable acreage.

Al Fusco Letter 3-22-18



Al stated that the new added wetlands will not affect the systems. Al stated that he spoke with the Highway Superintendent about the emergency road and getting an access with a T-turnaround. Need either an easement or another turnaround, Anthony will have to plow that in the winter. Tom has reached out to The Town of Goshen to see if they can get permission to use the t-turnaround. If that doesn’t happen then they will put in another t-turnaround. Pavers are going to be used in that emergency access. Bob sated that it should be doubled checked with Anthony about the paver, plowing them could possibly rip them up.

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

**Hudson Solar-OCC Foundation-90 Day Extension**

Working on the decommissioning bond they just need more time.

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

**Lewis Sign-Resolution**

Chris Lewis and Liz Manning present. Nothing is new on the survey or tech specs. Al reviewed the Tech specs and everything is good wants revision date and current stamp. And they will not get a CO (Certificate of Occupancy) until DOT signed off on it.

Copy of the Resolution was brought up on the projector screen. Counsel Donovan review the resolution with the board.

Motion to adopt a Negative Declaration made by Konrad. Second by Jackie. Motion carried 6-0.

Motion to grant Final Approval made by Dot. Second by Konrad. Motion carried 6-0.

**Alan Michalka-Site Plan Review**

Alan Michalka owner of 1376 Kings Highway. Has a previous site plan approval for commercial building with parking etc. now is looking to convert to a mixed use. Would like to make the upstairs a residential apartment. Alan presented the same approved site plan. Te barn in the back by the creek has been removed at the request on a board member years ago during the original site plan process.

A letter was submitted from Greig Anderson proving fire separation.



Al Fusco Letter 2-5-18



Municipal 239 Action is required to refer to the Orange County Planning Dept. and the DPW because property is on a County Rd. We have to give them 30 days to respond. If they do not respond action can be taken. No action can be taken before that 30 day mark. The earliest we can schedule a public hearing is May 16th, even then we can hold the hearing but no action will be taken because it is not 30 days.

Motion made to grant a Public Hearing May 16, 2018 at 7pm made by Konrad. Second by Dot. Motion carried 6-0.

**Lake Station Plaza-Site Plan Review**

Larry Marshall from MNTN Engineering representing the applicants Jamie and Robert Bogert. New Plans were submitted earlier in the day and forwarded to Al. Larry stated that he addressed all of Al’s comments from the previous letter.

Larry briefly described the proposed project again. Parking originally were going to do gravel on the additional parking in the back, after speaking to the owners they wanted to have it paved so it’s indicated now on the plans as paved parking. Provided lighting specifications, downward facing dark sky compliant fixture, relocation of the dumpster and abandoning the existing septic system.

Polled board for comments and questions.

Jackie: It’s not changing the use, day time commercial use. Jamie stated the addition is almost set down in a slope and from the road you won’t really be able to see much of the building. There is not going to be a lot of traffic coming in, it’s mostly the employees that come in the morning and get the work trucks and go out to the job sites. There really is no retail traffic.

No other comments

Municipal 239 referral to OCDP is also required, which was pro-active and already sent and Alexa is already waiting for the response.

Motion made to set Public Hearing for May 16, 2018 at 7pm or soon thereafter made by Konrad. Second by Carl. Motion carried 6-0

**Werzberger 191 Lehigh-Site Plan Review**

Ryan Fellenzer from Fellenzer Engineering to represent the applicant. Ryan submitted new application the property has been sold and there is a new owner Joel Schrieber. 1 acre site in the I Zone. Requesting for Office Use with accessory storage.

The original engineer was Michael Mele when they have first appeared back in September. Fellenzer has inherited the site plan which nothing has changed except that they have responded to Mr. Fusco’s comments. They added hours of operation, notes for erosion and settlement control, dumpster, no outside storage and material notes, delineation of parking. Applicant is also proposing an 8ft high chain link fence with driven sliding gate for security. Showing a sign in front.

Al Fusco Letter 4-10-18:



Need to find out about any building violations and interpretations of proposed use. Al wanted to re-bring that to the boards attention. Al stated that to his knowledge and belief that all violations were corrected but need to get confirmation from building department. We would need letter from the Building Dept.

Counsel Donovan brought reference to the original letter from Jim Farr 8/31/17.

Chairman asked Ryan Fellenzer, now you are not proposing contractor storage you are proposing office building? Mr. Fellenzer replied “that is correct, in the I Zone which is a permitted use pending planning board approval with accessory storage”. Dot asked storage of what? Mr. Fellenzer replied: “electrical supplies, conduit, lighting, wires none of it will be outside. And will be within the storage building. It will not be sitting on the property” Jackie asked: So no lettered trucks or anything? Mr. Fellenzer replied “No”

Chairman Serotta pulled up the original letter from Jim Farr dated 8/31/17. Counsel Donovan stated, It’s written on the letterhead of Farr Engineering. Based on the first sentence it says based on the discussion with Supervisor Jamieson and Building inspector Mlcoch I understand… then you get down to, in my opinion….

I understand Jim Farr is the building inspector now, however it’s not written on Town Letterhead and it’s based upon discussions with the building inspector. Counsel Donovan stated he was confused because he doesn’t know what this letter means. He doesn’t know what authority Jim had to write that letter at that time because he wasn’t the building inspector. Being a nit-picky lawyer but it’s an important issue as to what’s the basis of his determination. And who has the ability to make that determination. The town engineer doesn’t, the building inspector does. That determination can be appealed. Counsel stated he doesn’t think it is sufficient to act on.

Chairman Serotta stated that they are going to need some kind of supporting letter. Then have discussion on the site plans. Eventually will have to have a public hearing. Don’t know if you’re within 500feet of the Village line we will have to check that. May need to go to OCDP. New owners authorization was given to us today, need a revised EAF. No other agencies involved so no need for declare circulating notice.

If you want to come in n may 2nd or the 16th just call Alexa. Chairmain stated we need someone with the authority saying something.

**Kips Bay Holding of Warwick-Site Plan Review**

David Griggs was before the board about 2 years ago. They are looking to do a 20,000 sq. ft expansion to the building they needed DEC Wetlands permit. Which they now have.

Chairman Serotta pulled up the site plan on the projector. Showed were the wildlife planting, wetland planting, wetland area etc they are now allowed to go forward. All variances are printed on the site plan.

Al Fusco letter 3-22-18



Chairman pulled up the copy of the permit. Al stated they witnessed a dye test and passed. Everything was adequately addressed the only thing he felt was a little lacking was the landscaping possibly, however that is up to the board.

Chairman asked Jackie to maybe take a look.

Motion made to set a Public Hearing for May 16, 2018 made by Dot. Second by Carl. Motion carried 6-0.

Board discussed what was on the agenda currently for May 2, 2018 meeting.

Respectfully Submitted,

Alexa Burchianti

Planning Board Secretary