

PLEASANT VALLEY PLANNING BOARD MINUTES

NOVEMBER 17, 2015

A regular meeting of the Town of Pleasant Valley Planning Board took place on November 17, 2015 at the Pleasant Valley Town Hall, located at 1554, Main Street, Pleasant Valley, New York 12569.

Present:	Chairperson:	Rebecca Seaman
	Boardmembers Present:	Michael Gordon
		Janet Gross
		Robert Fracchia
		Norman Mackay
		Eileen Quinn
	Staff:	Michael White
		Sonia James
	Consultants:	James Nelson, ESQ
		PB/ZBA Attorney
		Peter Setaro, PB Engineer

Chairperson Ms. Rebecca Seaman called the meeting to order at 6:30 p.m. First item on the agenda was:

Wings over Water – Millbrook Wellness Center

The Chair reminded the Board that this project will be built on the newly re-zoned parcel owned by the Reardon Briggs. She informed that the applicant needed a referral from the Planning Board for the Zoning Board of Appeals for an Area Variance. As per Town Code a building only as large as 10,000 sq. ft. can be erected, whereas the Wellness Center are proposed building will be 30,000 sq. ft.

Ms. Laura Nash, applicant's representative, informed that there were no major changes to the plan presented to the Board earlier. She invited their architect Mr. Wayne A. Neckles of Neckles Builder LLC, to walk through the changes.

Mr. Neckles, stated that as per the Board's suggestion the building has been shifted 50' west. Parking is moved from easterly side to the back of the building. The locust trees present on the site are not in good shape, so they can be taken down.

Mr. Gordon wanted to recommend to the ZBA that the variance is for current user only.

Mr. Jim Nelson, informed that the variance runs with the land whereas special use permit can be crafted to use with the project.

The Chair, said that any future tenant will have to come back to the Planning Board for a change in the usage.

A motion was made by the Chair to give Positive referral to the ZBA, it was 2nd by Ms. Gross and was approved 6-0.

At this point the Chair informed all present that there was slight change in the PB agenda, and an item had to be added, that item was:

Central Hudson – G Line North Transmission Lines Rebuild Project

Following team members represented Central Hudson:

1. Gary Cassaro- Central Hudson Project Manager
2. Michael Campagna- Central Hudson Transmission Design Engineer
3. Greg Liberman- EDR- Environmental Consultant
4. Jennifer Van Tuyl- Cuddy & Feder- Legal Consultant

Ms. Van Tuyl, represented the applicant. She stated that a Special Planning Board Meeting was held on October 30th, 2015. After the special PB meeting Central Hudson lawyers and the town of Pleasant Valley lawyer had met and would like to propose the following:

1. Notice of Publication should be posted on the Town web site by the PB secretary along with the graphic copy of the map.
2. Applicant will send out certified letters with the Agriculture Data sheet and graphic map to all the adjacent neighbors.

Mr. Nelson read a Resolution (attached). The Chair made a motion to approve the Resolution, it was seconded by Mr. Michael Gordon and was approved 6-0.

Next a motion was made by the Chair to authorize the Chair of the Planning Board of Pleasant Valley to work with the Town of La Grange Planning Board as they have hearing on December 17th 2015, motion was seconded by Ms. Gross and approved 6-0.

Ms. Tuyl, objected to this as this might delay the procedure.

The Chair emphasized on the fact the PV PB has no intention of delaying the process but SEQR does not authorize a co-lead agency.

Mr. Gordon commented that the process was moving along at a fast pace, as the Central Hudson appeared before the planning board in October and already they are scheduled for a public hearing on December 8th 2015.

Ms. Tuyl stated that the Applicant will hire a stenographer to take the minutes of the public hearing meeting on December 8th. Applicant will also make a presentation to the public. It was further decided that Central Hudson will display their G-Line route maps an hour before the scheduled PB meeting for the public to come and review.

The chair wanted to know if Central Hudson stakes their properties before the work is done.

Ms. Tuyl stated that they already have a right of way and they are moving within those limits. In this case they are moving away from the edge towards the middle of the right of way.

The Board was informed by the applicant's engineers that the clearings are marked close to the date of the construction.

Next item on the agenda was:

Ye Olde Candle House Gift Shop - Permanent Sign Permit

Ms. Sonia Reynoso, owner of shop introduced her selves and explained that the sign will be 28" wide and 20" in height – wooden - and will be attached to approximately 72" iron pole. The main color will be teal or hunters green with burning candle logo – yellow/gold.

Mr. Michael White stated that Ms. Reynoso already has a temporary sign and the permanent sign is within the town codes.

A Motion was made by the Chair to approve the Permanent sign for Ye Olde Candle Shop it was seconded by Ms. Eileen Quinn and was approved 6-0. A copy of the sign as approved was submitted and signed by the Chair for the file.

Gina's Orchard Sub-Division

The Chair stated that a meeting will be held with the Highway Superintendent to resolve the issue of the driveway. She further inquired as to when the Applicant intended to start the construction of additional houses which would be permitted by the subdivision.

Mr. Peter Andros representing the Applicant, replied that maybe the construction will start within a year or so. Mr. Andros stated that all their plans show a driveway 12' wide, and that he did not believe it necessary to increase the width of the driveway to 16'. He further stated that even the Fire Advisory Board had no objection to the 12' driveway.

Mr. Pete Setaro commented that the issues raised. can certainly be resolved with the Highway Department.

Mr. Andros wanted to be included in the meetings with the Highway Department. He wanted to know the Highway Departments jurisdictions. Also the mention of “A Pond” in the highways consultant’s letter was not understood, as there was no pond on the property.

Mr. Setaro again assured Mr. Andros that the Planning Board along with the Pleasant Valley Town Board will resolve this problem.

Mr. Gordon stated that as far as it was his understanding the Highways Superintendents jurisdiction ends at the town road and he had no concern with the private driveways. His jurisdiction ends at the driveway and road.

Mr. White told the applicant’s representative that the Board wants to work with the applicant and wants to resolve the present problem and will put Gina’s Orchard back on the Agenda for December 8th meeting.

Next item was:

Citgo Gas Station/Quik Mart

Mr. Naeem Rao – owner Citgo, and Mr. Jim Galway – American Petroleum, represented Citgo Gas station.

The Chair informed Citgo Representative that they would need a variance from DOT before appearing before the Planning Board.

Mr. Galway told that they would seek a variance.

Mr. Setaro told the applicant that the Board cannot process this Application unless they receive an approval from the DOT.

Mr. Fracchia wanted to know if extra lighting would be added.

He was informed that no extra lighting would be added only LED lights inside the canopy.

The Chair, said that once the permission is granted from the DOT the applicant can contact Mr. White – Zoning Administrative - or Mr. Nelson – Planning Board Lawyer - to make sure it was acceptable with the attorney.

Next item on the agenda was the ACME sign application:

Mr. Gary McCoy, of Poyant Signs, represented ACME. He informed that the A&P sign was 58 square feet. large whereas ACME sign would be 24 Sq. Ft.

Mr. White told the applicant that there was no issue with change in the monument sign but as far as the Wall sign, the ZBA will have to grant a variance. Back lighting is allowed in the Town Code but internal lit signs were not allowed by the town codes.

The Chair informed all present, that in 2009 new codes were enacted, and internally lit and neon sign were prohibited under the new code. Even the signs which are already internally illuminated will not be allowed when they are replaced.

Mr. White commented that the goose neck lights are more attractive. He further told the applicant that you have right to ask for a variance but ZBA will have an issue.

Mr. McCoy said that Halo was a nice look and does not give a retail look.

Mr. Gordon commented that this is a village setting, same people drive by daily and are aware of the where the shops are.

Ms. Gross complained, that the lighting in the ACME parking was not well lit, there are dark spots which make people uncomfortable.

Mr. White said that he will talk to the Milestone Plaza and inform them of the lighting situation.

A Motion was made by the Chair to give Positive Referral to the ZBA for the Variance to increase the allowed size of the sig to 24 square feet, motion was seconded by Mr. Mackay and was approved 6-0.

A Motion was made by the Chair to give Negative Referral to the ZBA for the Internal Illumination, motion was seconded by Ms. Gross and was approved 6-0.

A Motion was made by the Chair to approve October 13, 2015, Planning Board Meeting, was 2nd by Mr. Rob Fracchia and was approved 6-0 with changes as indicated in the copies handed out to the Board Members.

A Motion was made by the Chair to close November 17, 2015, Planning Board Meeting, was 2nd by Mr. Michael Gordon and was approved 6-0.

**ADOPTED UNANIMOUSLY BY
PLEASANT VALLEY PLANNING BOARD
NOVEMBER 17, 2015**

RESOLUTION

WHEREAS, the Planning Board (“the Board”) has received an application from Central Hudson Gas & Electric Corporation for the rebuild of the G-Line North, a single-circuit 69kV electric transmission line that runs through the Towns of LaGrange and Pleasant Valley; and

WHEREAS, such development requires, among other permits and approvals, a Site Plan approval from the Board; and

WHEREAS, the proposed action is also a Type I action under SEQR because it is a non-residential project resulting in disturbance of 10 or more acres of land, and a coordinated SEQR review is being undertaken; and

WHEREAS, the Chair of the Board has met with the Chair of the LaGrange Planning Board to establish a process to assure that all relevant issues of environmental concern relating to land in the Town of Pleasant Valley are fully considered in the SEQR review process; and

WHEREAS, the Board has been advised by the Zoning Administrator that the application materials contain sufficient information to commence the public hearing and review process, subject to the continuing ability of the Board to request further information as may be required to enable the Board to render a decision on the application; and

WHEREAS, the Board further deems it necessary and appropriate to schedule the public hearing so that the Board will be able to submit these public comments to the SEQR Lead Agency in a timely fashion; and

WHEREAS, Section 98-80.F.2 of the Town Zoning Law provides that the Planning Board may provide that an application be advertised in the manner that the Board deems most appropriate for full public consideration of such plan; and

WHEREAS, the Board wishes to set forth the procedures to be followed relating to the public hearing process and the public notice thereof;

NOW THEREFORE, BE IT RESOLVED, as follows:

1. A Public Hearing shall be held on the application for Site Plan Approval at the Town of Pleasant Valley Town Hall, 1554 Main Street, Pleasant Valley New York, on December 8, 2015, beginning at 6:30 p.m., or as soon thereafter as the matter is reached on the agenda.
2. The attached Notice of Hearing (“the Notice”), which provides notice of the filing of the application and of the public hearing, is hereby approved. The copy of the Notice intended for mailing to neighbors also includes an 11 x 17 map of the proposed G-Line rebuild route in the Town of Pleasant Valley.
3. The Planning Board Secretary shall publish the Notice, without the attachment, once in the Poughkeepsie Journal legal advertising section, on or before December 2, 2015.
4. The Planning Board Secretary shall deliver a copy of the Notice, which includes the map of the proposed G-Line rebuild route, to the Town webmaster for posting on the Town’s website as soon as may be possible.
5. The Planning Board Secretary is directed to promptly post a copy of the Notice, which includes the map of the proposed G-Line rebuild route.
6. A copy of the attached notice shall be mailed, by certified mail, on or before November 28th to the owners of all parcels in the Town of Pleasant Valley over which the G-Line Right-of-Way crosses, and to the owners of lots in the Town of Pleasant Valley adjoining¹ or across the street from those parcels, as they are listed on the latest tax assessment rolls.
7. The Applicant’s Site Plan application will occur partially on property within an agricultural district containing a farm operation, or on property with boundaries within 500 feet of a farm operation, located in an agricultural district, and the Applicant has accordingly filed an Agricultural Data Statement. When mailing the Notice to neighboring properties, the

¹ In the location where the G-Line right-of-way is crossed by a Con Ed right-of-way in fee, the obligation to notice parcels adjoining or across the street shall extend only for a distance of 500 feet from the G-line right-of-way.

Applicant shall include notice of the application to the owners identified in the Agricultural Data Statement pursuant to the provisions of Town Law 283-a. The Board shall evaluate and consider the agricultural data statement in its review of the possible impacts of the proposed project upon the functioning of farm operations within such agricultural district.

8. The Applicant shall submit to the Planning Board Chairman, prior to the start of the public hearing, an affidavit of mailing in compliance with these provisions, together with the Post Office receipts for the certified mailing.
9. The Planning Board secretary is directed to advise the Town of LaGrange Planning Board, as Lead Agency, in writing, of the scheduling of the public hearing, and extend an invitation to the LaGrange Planning Board and its invitees and to attend the Pleasant Valley hearing.
10. At the hearing, the Board will record the comments by Stenographer to be paid for by the applicant, the transcript of which will be delivered to the Pleasant Valley Planning Board and a copy forwarded to the Town of LaGrange Planning Board for consideration as Lead Agency in the SEQR evaluation of the proposed action. The Transcript will be made available to the LaGrange Planning Board by the time of its public hearing, anticipated to be scheduled for December 17, 2015.
11. Pleasant Valley residents may attend the LaGrange Planning Board public hearing, presently scheduled for December 17, 2015. The Pleasant Valley Planning Board looks forward to receiving from the LaGrange Planning Board, consistent with the LaGrange Planning Board regular practice, the written responses submitted by the Applicant to the comments from Pleasant Valley residents, including those received at the December 8, 2015 Pleasant Valley Public Hearing. The Applicant shall submit a copy of its written responses to all Pleasant Valley comments directly to the Pleasant Valley Planning Board.
12. The Pleasant Valley Board plans on adjourning and continuing the public hearing held on December 8, 2015 to a date certain, to be determined by the Board at the close of the hearing session. Such hearing may be further adjourned and continued from time to time, to a date certain.