

PLEASANT VALLEY PLANNING BOARD MINUTES
APRIL 20, 2016

A regular meeting of the Town of Pleasant Valley Planning Board took place on April 20, 2016 at the Pleasant Valley Town Hall, located at 1554, Main Street, Pleasant Valley, New York 12569.

Present:	Chairperson:	Rebecca Seaman
	Boardmembers Present:	Robert Fracchia Heather Patterson Trish Prunty Joy Dyson Norman Mackay
	Board Members Absent:	Michael Gordon
	Staff:	Michael White, Zoning Administrator Sonia James, Secretary
	Consultants:	Van De Water Inc. 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:

**Central Hudson – ‘G’ Line North Transmission Lines Rebuild Project
Public Hearing**

The Chair reminded the Board that this was a continuation of last month’s public hearing. She stated that the Applicant will not respond to any comments made by the public at tonight’s continuation of the public hearing. The Chair further added that the Public Hearing will be re-opened tonight and then adjourned until May 10, 2016 Planning Board meeting. Notice for the public hearing will not be re-circulated as the Public Hearing was never closed.

A Motion was made by the Chair to open the public hearing, seconded by Ms. Trish Prunty approved 6-0.

The Chair invited the Public to offer their comments. No one spoke, therefore a Motion was made to adjourn the Public hearing till May 10, 2016 @ 6:30 p.m. seconded by Ms. Joy Dyson and was approved 6-0.

The Chair informed the Board that the Town of Lagrange was waiting to hear our comments before their meeting of April 21st 2016. She asked Board members for their comments:

Trish Prunty

Central Hudson did not take into consideration that these are our homes and our neighbors.

Was all the cutting really necessary?

Joy Dyson

NY State just comes in and says we can take more of your property for something that happened in Ohio. Although we have our own Planning and Zoning Boards of Appeals, but apparently that does not affect Central Hudson. We are told that the cut trees are for land owner's use whether we want it or not.

Robert Fracchia

I am sharing a picture taken on Route 44 showing cut trees left as a pile bulldozed. It is clearly a fire hazard. I would like to know the name of the person responsible in case a home owner has to be contact the Central Hudson. A number for a designated person who would be more responsive than the general information number.

Heather Patterson

I acknowledge that Central Hudson did replacement of poles for some residents, everyone effected should know that they can reach Central Hudson for any concerns.

Rebecca Seaman

These are comments from the Planning Board Members. The Board is aware of the fact that Central Hudson has worked with certain land owners. We have not yet seen the full plans. Once the plans are finalized, Central Hudson can show the Board what adjustments were made in favor of those residents.

Some residents commented that the property should be left clean after clearing. I assume when we open the Public Hearing for the final time you will give clarifications as to the approach to clearing to be adopted. This should be discussed when it comes back to us for the site plan approval. The reason for keeping the Public hearing open for so long is because the Pleasant Valley public hearing is for site plan. The SEQRA public hearing is being held by LaGrange as lead agency. The Planning Board wanted our residents to offer

their input before a SEQRA determination was made by LaGrange. Therefore, we opened a public hearing before the SEQRA determination was made by LaGrange.

Humming Bird Ranch/Valley Market - Sign Permit

Mr. Richard Focht represented the application. He explained that as the building is located at a hairpin turn and the cars passing have just a second to have a glimpse of the sign therefore he wanted to have bright colored wording so that the sign will stand out.

The Chair explained to the applicant that right now they were before the Planning Board to get a referral to the Zoning Board of Appeals for the Area variance for the size of the sign. After receiving the variance the applicant will be come back to the Planning Board for approval of the sign colors and design.

A motion was made by The Chair to give a positive referral recommendation for a 54 sq. ft. sign the motion was seconded by Mr. Rob Fracchia and was approved 6-0.

Sub-Division Application, Gloria Deutsch Living Trust, Located at: 64 Ward Road, Salt Point NY 12578

Mr. Craig Wallace, Applicant's Attorney represented his client and gave a brief background of the application.

This is an 86 acre parcel, it is a minor sub-division for a single 5 acre lot. It has an existing residence on the proposed lot.

Gloria Deutsch owned the property and converted it into a trust that went to the University of Albany, as she was an Alumni. Her wish was to transfer 5 acres of land with the existing house and sell that home to use that money for the University. Mr. Wallace further added that in future the rest of the parcel may be sub-divided. The 5 acre parcel that needs to be sub divided has a house on it which is rented out. The larger parcel will still be owned by the trust.

A conceptual map of possible future lots was handed over by Mr. Wallace.

Mr. Wallace stated that there were two possible access roads to the remaining acreage.

Following were Mr. Setaro's comments:

He referred to his letter to the Planning Board dated April 15, 2016, and following were his comments:

1. As the sub-division involves breaking an 87 acre parcel into two lots proposed lot # 2 occupying a little less than one half of the site frontage. Remaining frontage is sufficient, depending on site distance and environmental considerations, however no further sub-division is proposed at this time.
2. Revised date should be added to any future submittals
3. Revise the table to indicate that the maximum impervious coverage requirement is 15%. Both lots comply with the coverage requirement.
4. Include notation stating that development in SFH area would be governed code chapter 50 flood damage prevention and subdivision regulations section 82-22, D.
5. Existing well and septic on proposed lot # 2 are not known

Codes:

1. Give the site's constraints
2. Delete the word "preliminary" from the title sheet
3. Add property owner's name and address
4. Add name and seal of the engineer
5. Clarify the legend item for or label the floodplain area

A motion was made by the Chair for the approval of the Sketch Plan, it was seconded by Mr. Norm Mackay and was approved 6-0.

A motion was made by the Chair to circulate the Public Hearing, it was seconded by Ms. Trish Prunty and was approved 6-0.

Next item on the Agenda was:

Sub-division Application – Joseph and Marie Luzzi

Mr. Brian Franks represented the applicants. Mr. Franks wanted clarification from the Town Engineer regarding the 25' wide strip of land extending to the center of Ross way Road proposed to be conveyed to the Town.

Mr. Setaro stated that the applicant will have to contact the Town Board Lawyer and Town Supervisor.

The Chair stated that the Planning Board will be the lead agency. This is a boundary line adjustment.

Mr. Franks requested waiver for “density calculation” under section 82-22 A.

Mr. Setaro’s Comments:

1. Subdivision involves a lot line adjustment between adjoining owners resulting in conforming lots of 3.5 acres and 9.2 acres respectively
2. A 25’ wide strip of land extending to the center of Ross way road proposed to be conveyed to the Town.
3. Expand the zoning table to show conditions of both lots
4. Zoning table requirement:
 - a. Road frontage on Luzzi, which appears to be 217’ and
 - b. Clarify or label the 16.2’ side yard setback
5. Show the special flood hazard area plan.
6. Provide density calculation - waive
7. Add notation about prohibited activities in the streams easement

A motion was made by the Chair to accept the request made by the applicant for the waiver of the “density calculation” it was seconded by Mr. Rob Fracchia and was approved 6-0.

A motion was made by the Chair for the Planning Board to act as a Lead Agency it was seconded by Ms. Patterson and was approved 6-0.

Site Plan Approval – Netherwood Baptist Church/Cemetery

Mr. Brian Franks and Mr. Peter Krayenbrink represented the applicant, and produced the permit issued to “repave existing minor commercial driveway on CR 41” from the Dutchess Country Department of Public Works.

The applicant proposes expansion of an existing parking lot. They propose to expand towards west/north. The west side expansion would be 17 new parking spaces and north side will be 8 new parking spaces.

The Chair wanted to know if there was any expansion of activities of the church or change in existing lighting involved.

Mr. Frank’s response was negative. The Church is not planning to add any activity or increased traffic.

Mr. Setaro was concerned about the drainage overflow towards the Netherwood Road.

Mr. Franks informed that there was a covert at the neighbor's property which runs right along the Netherwood Road. Mr. Setaro noted that new construction cannot result in additional water flow into neighboring parcels.

Mr. Setaro suggested to have the contractor dig the covert 2' deep for drainage water prohibiting water to run on to the Netherwood Road.

Mr. Setaro further added that the parking lot should have handicap parking space shown on the map.

The Chair stated that this was a minor modification of site plan, there was no change in the use.

A motion was made by the Chair to grant approval for the minor modification site plan motion was seconded by Ms. Joy Dyson and was approved 6-0.

Site Plan Amendment Pleasant Valley Properties

Mr. Frank Redl represented the applicant. He informed the Board that they are not making any changes to the approved site plan. All remains the same; same tenants, parking spaces etc. He stated that there is a sidewalk towards the pavement and the tenant – an ice cream shop - wants to put a sliding window to distribute ice cream orders.

Ms. Patterson wanted to know the width of the sidewalk. Also if any benches or tables would be placed outside.

She was told that the sidewalk was 25' wide, and no tables or benches will be placed out on the sidewalk.

Mr. White added that a Building Permit was already underway with the building department, after his inspection on Friday a Temporary CO will be issued for the Tenant.

A Motion was made by the Chair to approve the minor modification to the site plan it was seconded by Ms. Prunty and was approved 6-0.

Amended Site Plan (Minor Modification) – Shady Creek LLC

Mr. Frank Marinaro presented his site plan and explained that everything on the site plan is pre-existing. He just wanted to put in new roof with sidings. He informed the board that he had a valid building permit from the Town of Pleasant Valley's building department. Only change that was made was to move the deck to the back of the building.

Mr. White gave a brief background, stating that Mr. Marinaro purchased the property recently and wanted to re-instate the Deli. The site plan does not propose any new use just the old one.

Mr. Marinaro further added that he wanted to dress up the building. Although he had a valid building permit he was given orders to stop work, and appear before the planning board after the decision was made that the amount of work proposed would require a site plan amendment. Mr. Marinaro shared the colors he would be putting on the building, the Roof will be Ocean Blue and the siding will be the sand color.

Ms. Dyson wanted to know if the parking would be sufficient or not?

Mr. Marinaro informed that there is additional parking at the back for the employees. Plus, they will not be putting any tables outside. There are existing 12 parking spaces.

Mr. Setaro commented that all the tables, dumpsters should be shown on the map.

Mr. Marinaro stated that the dumpster is way off the main road.

Mr. Setaro stated that the Board was not clear whether the 2nd floor will be used or not.

Mr. Marinaro said that it will be used as a storage facility.

Mr. Petaro added that a note should be put on the map that the proposed use for the 2nd floor was storage. Otherwise they will have to appear before the Planning Board to get any other use approved.

The Chair explained, that a minor modification is finalized when the applicant meets the conditions and updates the plat, the updated plat is approved by the engineer and signed by the Planning Board Chair.

A motion was made by the Chair to grant minor modification amended site plan approval it was seconded by Mr. Mackay and was approved 6-0.

Minor Site Plan Amendment - LaPuerta Azul – Washington Hollow LLC

Mr. Fred Volino owner represented the Applicant. He informed the Board that the owner of the LaPuerta Azul restaurant – Mr. Rafiq, wanted to place tables outside. In order to accommodate that, they will have to remove 4, exiting parking spaces and put eight tables with blue stone floor, and put about 4 to 8 umbrella canopies. All will be removed during winter.

Mr. Setaro commented that they will lose 4 parking spaces. Was it possible to put additional parking space behind the building?

Mr. Volino stated that they have enough parking spaces already approved in the original site plan. Plus they have handicap parking as well.

Mr. Setaro mentioned that a “Signature Block” should be added to the final plat also it should show specified outdoor seating.

A motion was made by the Chair to grant minor modification amended site plan approval, motion was seconded by Ms. Prunity and was approved 6-0.

Minor Site Plan Amendment - Mill Hollow Enterprises Inc.

Mr. Fred Volino – owner – presented this application stating that he wanted to reduce the 30 feet sidewalk by 5’ for easier access.

Mr. Setaro mentioned that a “Signature Block” as well as owners consent block (signed) should be added to the final plat.

A Motion was made by the Chair to grant minor modification amended site plan approval it was seconded by Mr. Mackay and was approved 6-0.

Site Plan Application – Standard Recycling Corp.

Mr. Michael Reggina, Vice President Marketing, represented Standard Recycling Corporation. They propose to place three (3) recycling bins in the Milestone Plaza. He stated that the bins were emptied twice a week, also if they get a call that the bins were full, they come and empty them within 24 hours.

The Chair stated that the signs that were on the recycle bins had to have sign permits. Also you are placing bins on a site approved for retail sales, not for collections and recycling.

Mr. Reggina informed that if it takes 15 minutes in all for the truck to pull up empty the bin and leave. Plus the drivers are instructed to leave the place clean they even carry brooms to sweep the place.

The Chair stated that if this application proceeded to a site plan amendment, it would require a public hearing, so the residents of Pleasant Valley could comment. The traffic situation has to be considered as well.

The Chair told the applicant that the Zoning Administrator would have to review the situation to determine whether this would be an allowed use.

Solar Moratorium

The Planning Board discussed the local Solar Moratorium law proposed by the Town Board with respect to solar power installations that are ground mounted. All member of the Planning Board were in favor of a moratorium to provide time for code provisions to be drafted to address the issues presented.

Motion was made by the Chair to give a positive referral to the Town Board for adoption of local law X, 2016 and was seconded by Robert Fraccia and was approved 6-0.

Appointing of Planning Board Engineer and Lawyer

There was discussion about the process of appointing the engineer and lawyer for the Planning Board. It was noted that both have been with the Planning Board since 1980.

Resolution # 1 of 2016

A motion was made by the Chair to appoint Morris Associates as Planning Board Engineers for 2016, it was seconded by Mr. Mackay and was approved 6-0.

Resolution # 2 of 2016

A motion was made by the Chair to appoint Van De Water and Van De Water as Planning Board Lawyers for 2016, it was seconded by Ms. Patterson and was approved 6-0.

Minutes of January 12, 2016, Planning Board Meeting

A motion was made by the Chair to approve February 17, 2016 Planning Board minutes with corrections, the motion was seconded by Mr. Mackay and was approved 6-0.

A motion was made by the Chair to approve March 8, 2016 Planning Board minutes with corrections, the motion was seconded by Ms. Dyson and was approved 6-0.

The Chair made a motion to close April 20, 2016 Planning Board meeting, it was seconded by Mr. Mackay and was approved 6-0.