

## PLEASANT VALLEY PLANNING BOARD MINUTES

DECEMBER 13, 2016

A regular meeting of the Town of Pleasant Valley Planning Board took place on December 13, 2016, at the Pleasant Valley Town Hall, located at 1554, Main Street, Pleasant Valley, New York 12569.

Present:	Chairperson:	Rebecca Seaman
	Board Members Present:	Robert Fracchia Heather Patterson Joy Dyson Michael Gordon Norman Mackay
	Board Members Absent:	Trish Prunty
Staff:		Michael White Sonia James
Consultants:		Pete Setaro, PB Engineer Jim Nelson, PB Attorney

Chairperson Ms. Rebecca Seaman called the meeting to order at 6:40 p.m.

The first item on Agenda was:

### Public Hearing - Richards Sub-division

Mr. Mackay recused himself for this application.

Mr. Branden Johnson represented the applicant Mr. John Richard's and stated that the existing parcel is 66 acres and the owners proposed to sub divide it in two parcels, the parcel that has the house on it will be 12 acres, and will be retained by the owner. Rest of approximately 54 acres would be sold.

The Chair invited Mr. Setaro to share his comments. Mr. Setaro comments were:

1. Each lot would have ample frontage. However, planning board should consider the site constraints as per subdivision regulations
2. Planning Board may request conceptual future plans for the larger parcel.
3. The following should be noted on the plat:
  - a. The 100' regulated area for the stream to the south of the existing residence and pond, and
  - b. Notation indicating that there is Special Flood Hazard (SFH) district area on the site, which corresponds to the flood boundary

4. Show approximately location of the existing well and septic on proposed lot 1
5. The waivers requested by the applicant should be granted, with the exception of the buffer along perennial streams. This buffer should not be waived and should be shown on the plat
6. The dirt drive abandonment should be clearly indicated in the plat
7. Planning Board should discuss how the driveway shall be abandoned and a mechanism to ensure that the work is completed, and noted on the plat
8. Add a note in the area of the access lot 1 stating: “The purchaser of Lot 2 is advised that any modification of expansion of the existing driveway on lot 2 is subject to floodplain and wetland development permits from the Town of Pleasant Valley.”
9. Revise the zoning area and bulk table on the plans as follows:
  - a. Provide actual values of the proposed conditions instead of “NA” or include a footnote and appropriate notation; and
  - b. Add the existing building footprint area in square feet, which may be 2,104 Sq.Feet as per the Dutchess property card.
10. Add the density calculation to the subdivision plat plan in accordance with sub-division regulations.
11. Given the sites constraints, there does not appear to be any reason to reserve land for recreation. Accordingly a recreation fee in lieu of land dedication may be required.

### **SEQR and Short EAF Comments**

1. EAF is acceptable
2. Proposed subdivision is an unlisted action under SEQR. The planning board as the only involved agency, should conduct an uncoordinated review.

The Board members discussed the abandonment of the driveway. Mr. Brandon suggested that it can be seeded, but in the spring as the planting season is over. The applicant is willing to put a temporary fence up.

Mr. Setaro stated that as long there was any kind of physical barrier it was okay.

A motion was made by the Chair to open the Public Hearing it was seconded by Mr. Gordon and approved 5-0 1 abstention for recusal.

Ms. Maureen Olfati of 369 Masten Road, Pleasant Valley NY, offered following comments:

“It is not my intension to oppose but am concerned about the 57 acre lot that is being sold. The proposed buyer may sub-divide it again. Plus there is no mention of waivers for the future planned building.”

No one else spoke from the public, therefore a motion was made by the Chair to close the Public hearing it was seconded by Ms. Dyson and was approved 5-0 1 abstention for recusal.

The Chair responded to the resident that as far as future sub-divisions are concerned it is out of the Planning Boards reach to consider future plans. The board cannot apply restrictions for the future. The single family house plans do not appear before the planning board but are inspected by the Building Department, they would appear before the board only if the wetlands boundary is accessed. At this moment nothing is proposed or planned for future and as far as the waivers are concerned that is up to the board member to decide.

Mr. Gordon stated that if in future a site plan for the new parcel will appear before the board they will go through the site plan with a fine comb.

Mr. Setaro stated that if there are any further sub-divisions the neighbors shall be informed.

The Chair stated that there are no environmental effects proposed rather no changes are proposed for now. Therefore, a motion was made by the Chair to approve the negative declaration approval, it was seconded by Mr. Gordon and was approved 5-0 1 abstention for recusal.

A motion for the approval of Preliminary approval was made by the Chair it was seconded by Mr. Fracchia and was approved 5-0 1 abstention for recusal.

A motion was made by the Chair to grant Final Approval it was seconded by Mr. Gordon and was approved 5-0 1 abstention for recusal.

Next Item:

### **Snyder Sub-Division**

Mr. Brian Franks represented the applicant, he stated that his client wants to sub-divide approximately 85 acres parcel into 2 lots. The parcel is along the Town of Pleasant Valley and Town of Clinton Town line. Lot 1 has an existing house and the access for Lot 2 is off Ruskey lane in Pleasant Valley. Most of the 13 acres of property on Lot 1 on the south side Ruskey Lane is undevelopable due to wetlands. The client is willing to amend the site plan as per Boards suggestions.

The Chair invited Mr. Setaro for his input:

Mr. Setaro's comments:

1. As part of the sub-division it is proposed to dedicate 150 feet right of way along Ruskey Lane of approximately 1 acre to the Town along Ruskey lane.
2. The applicant should provide a chart with total acreage before and after sub-division with breakdowns for Lot 1, 2 and dedicated ROW.
3. The Highway Superintendent should be contacted for approval of Lot 2 driveway access.
4. Though Lot 2 is 58 acres, majority of the properties acreage is in the "flag" portion of the lot, in the Town of Clinton, that is approximately 800 feet off Ruskey Lane. If the future house is located further back in the "Flag" area, there appears to be more than adequate area for the house, septic and well, although the slopes are steep in some areas. The 3.7 acres that make up the land strip to get to the rear portion of the lot will be more difficult to locate a house septic and well, due to steep slopes and driveway grading. The Planning Board may want to consider a deed restriction for the 3.7 acres prohibiting building in this area.
5. The Engineer has no objection to the Planning Board granting the waivers requested.
6. Short EAF is acceptable. Proposed subdivision is an unlisted action under SEQR. It is recommended that the Planning Board initiate the Lead Agency process for SEQR.

The Chair informed the applicant of the FAB Recommendations:

1. Driveways 12' wide 12' high clearance for fire apparatus to pass through
2. FAB Representative will speak to owner to discuss possible access to pond west of the farm house on 71 Ruskey lane, for future installation of a dry hydrant.

A motion was made by the Chair that the Planning Board to assume, Lead Agency status, it was seconded by Mr. Mackay and was approved 6-0.

Next Item on Agenda:

### **Pleasant Valley Free Library**

Ms. Dyson recused herself.

Mr. Robert Turner of Tinkelman Architects represented the applicant.

Mr. Turner stated that all existing parking spaces will be kept and re-painted. Additional 10 spaces will be added bring the total of parking spaces to 45.

The addition to the library will not affect the Presbyterian Church as the Library is closed on Sundays.

Following were Mr. Setaro's Comments:

1. Planning Board will require a letter from the Presbyterian Church stating that they consent to the expansion of the library, pursuant to the terms of the lease granted to the library by the Presbyterian Church. Parking spaces indicated as part of potential improvements should be counted tabulation chart.
2. Roof runoff from the existing library structure will be piped to a new drywell. Proposed drywell is located outside the lease area. Is this acceptable to the Presbyterian Church? In addition Board should ensure the runoff from the library addition does not impact the Catholic Church property.
3. The cover letter from Mr. Turner dated 11/29/16 appears to indicate the DCDOH is involved in the evaluation of the existing septic system. It is assumed that this is also the case for the portable water supply.
4. The Board should review the building elevations. The board is concerned about maintaining traditional design elements in the Hamlet area.
5. On the Erosion Control Plan, a stone stabilized construction entrance is shown. The stabilized entrance is currently a paved area. This needs to be reviewed and revised accordingly.
6. On the grading and utilities plan, drywell size needs to be indicated.
7. A copy of the NYDOT letter referenced in Mr. Turner's letter, a copy of the same should be provided to the Board.
8. Board should circulate for the lead agency for the projects
9. A SEQR determination should wait until the comments on parking and water and sewer are resolved
10. A copy of the response letter from SHPO – when received by the applicant – should be copied to the Planning Board

Mr. Turner stated that all concerns will be addressed. Plans are for a potential side walk will be connected to the main street sidewalk. Pavement will be made of porous material so that the rain water is absorbed.

Mr. Tinkelman, further added that there is no dumpster on the premises. They will be working on the landscaping. No comments from DOT and no impact to the existing sidewalks. Also there will be slight modification with the interior. Library will be providing seating access towards the Catholic Church, a corridor will be created to have another exit towards the Catholic Church, facilitating people from church to visit library. The addition building will be more modern in architecture. There will be 2 elements with rectangular metal panels.

Color of the building will be colonial blue, there will be windows on the east side of the building bringing in natural light. Mr. Tinkelman added that they are seeking approval for the public hearing.

The Chair wanted to know what kind of land scape would be done.

Mr. Turner stated that shrubs and perennials will be planted.

Ms. Patterson stated that the metal panels do not incorporate with the existing building. It should either be all modern or keep it as is. The addition is modern and looks good. She stated that the front elevation does not appear integrated into the design and feels like a set piece applied to the building. By using a different architectural expression on the side elevations than the front elevation, the new addition lacks cohesion. The design would make a stronger statement if it adhered to one design aesthetic - either all modern or using the vernacular architecture already present within the town and the existing library building. The use of the metal "shingle" material also does not reference any of the architectural language used in the town.

The Chair stated that the Board has been struggling from the beginning, and invited the Board members to offer their opinion.

Mr. Gordon stated that he liked the contrast between the two buildings.

Mr. Mackay stated that he is not upset with the contrast.

Mr. Fracchia stated that he will reserve his opinion till the public hearing.

Mr. Tinkelman, stated the he sees the library more of a gathering place for the community. We want to create spaces that are pleasant while we are respectful of the existing design we also want to show that we stepped into the modern era. The triangular metal shape has a lot of character and shade to it.

The Chair stated that the Board has a practice of following the design guidelines specified in the Master Plan and as we go forward we will continue to do so. Overall the plan is wonderful. She further added that the agreement with the church has to be finalized.

Mr. Nelson stated that as per the site plan code, all parking spaces has to be depicted on the site plan. The planning board encourages the shared parking. Library has to draw a contract/resolution with the Church. The Board should have the consent from both the churches, if parking is also to be shared with St., Stanislaus. Mr. Nelson suggested that Board can have the public hearing, but will

have to keep the public hearing open till a contract is reached between the churches and the library.

The Chair stated that there definitely should be an agreement between the churches and the library.

The lawyer for the library stated that they needed approved plans from the Board in order to secure grants.

The Chair, Ms. Seaman asked Mr. Nelson is a preliminary approval can be granted.

Mr. Nelson stated that it is the library's decision to accommodate both the Churches as soon as the Board gets an agreement from all parties a preliminary approval can be granted.

Mr. Setaro added that definitely we would like to hear from the church. He further suggested that removing the Catholic Church's shared parking would expedite the procedure.

A motion was made by the Chair to authorize the Pleasant Valley Free Library to circulate notice for a Public Hearing. It was seconded by Mr. Mackay and was approved 5-0 1 abstention for recusal.

### **Scale House Replacement – Peckham Materials Corp**

Mr. Bob Yaremko and Mr. Dan Flannigan Peckhams represented the Peckham Materials Corp. Mr. Yaremko stated that this is a minor modification. Present building if 920 Sq. Ft. the new building will be 910 Sq. Ft.

Mr. Setero's comments:

1. The proposal to demolish the existing 920 sq.ft. scale house and construct new 910 sq.ft. scale house appears to be appropriate given the existing site given the existing site development and that it will be a replacement with basically the same size building.
2. It was noted that the scale house is located in a floodplain district, therefore applicant should confer with the Zoning Administrator, in case a permit is needed.
3. The proposal meets the criteria for consideration as a minor modification.
4. No waivers are required.
5. No formal site plan is required other than as set forth in the section for minor modifications.
6. Colors black and white are in accordance with the Town codes

7. Site map needs an Owner's Consent note as well as Planning Board Chair approval signing block.
8. No comments on EAF.
9. Type II action

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

### **Margaret Court LLC – Brookside Meadows**

Ms. Dyson recused herself.

Mr. Richard Rang represented the applicant. He stated that the tenants at Margaret Court have approached the management, requesting a storage facility on site. The storage structure will replace an existing open storage building. It will be a simple storage facility with metal roof and sidings, no access or corridors inside on the structure, all access will be from outside. Parking will be all gravel, the doors will be roll up. With no lighting

Mr. Setaro's comments:

1. New storage building will be 3,840 sq. ft. tenant storage on the same footprint as the old building, appears to be appropriate.
2. Site plan should be provided containing Owners Consent Note and Planning Board Chairs approval signature block.
3. Proposal meets the criteria for consideration as a minor modification of a site plan.
4. Full site plan review not required, therefore no waivers are needed.

A motion was made by the Chair to grant minor modification amended site plan approval. It was seconded by Mr. Mackay and approved 5-0 1 abstention for recusal.

### **Pre-App Discussion - Mobilite**

Mr. Paul Costa represented "Mobilite". He stated that Mobilite is in a process of deploying two types of infrastructure 1) small cell sites and 2) transport sites. This infrastructure works together to form a network that will provide high speed, high capacity bandwidth and mobile connectivity to service the residents, business and visitors of the Pleasant Valley.

Currently, Mobilite seeks to build one transport pole within the town's right of way. Mobilite's transport sites consist of a galvanized utility pole, approximately 120 feet tall with supporting microwave dishes and radios that provide high speed connectivity to connect into wireless carriers core network, and ultimately into the



internet. These transport sites provide high speed bandwidth with the same speed and performance of fiber optic networks.

The poles will be 124 feet in height, diameter at the base will be four feet. Out of 2000 microsites, 45 will be in the Dutchess County. In Pleasant Valley the site currently proposed is at Seabrecht Road, and would be placed in the right of way.

The Chair enquired about the other possible sites in Pleasant Valley/Dutchess County.

Mr. Costa stated that the engineers are still in a process of finalizing the sites.

The Chair, stated the Board supports the project as long as they are not built in residential areas.

Ms. Patterson asked whether they would need height variance from the Zoning Board of Appeals.

Mr. White informed that if the poles are in the Office/Industrial (OI) zone no variance is required.

The Chair, Ms. Seaman requested Mobilite to place the poles in the OI zone. With agreement from Central Hudson it might be possible to place the poles on the edge of Central Hudson's right of way.

Mr. Costa stated that his company is ready to work with the Town.

The Chair made a Motion for the Board to go in Executive Session it was seconded by Ms. Patterson and approved 6-0.

The Chair made a Motion for the Board to come out of the Executive Session it was seconded by Ms. Dyson and approved 6-0.

A Motion was made by the Chair to close the Planning Board Meeting, it was seconded by Mr. Mackay and was approved 6-0.