

Planning Board
Regular Meeting
October 27, 2014

James Greene, Chairman
Steve Caruso, Board member
Elaine Van De Carr, Board member
Cathy Glass, Board member
Tim Wilford, Board member

Dean Whalen, Board Liaison
Kelly Best, Secretary

The Chairman opened the meeting at 7:01 pm.

Board member Van De Carr approve the minutes for October 10, 2014. Board member Glass seconded the motion. Board member Greene – Approved, Board member Caruso – Approved, Board member Van De Carr – Approved, Board member Glass – Approved, Board member Clancy – Abstained.

The Board reviewed the Special Use Permit of Troy Miller for the installation of a pool in the side yard on Bozenkill Road in the Pangburn Farms development. The Board reviewed the plot plan submitted. It was determined in was lot 51. The Board questioned if lot 51 is a corner lot. The Board thought there was an Open Conversation Acre (area) adjacent to the property. The Board questioned if the lot were 3 to 5 acre lots.

The Chairman reviewed the definition of “yard, side” in the Village Code. The Board also questioned if the Special Use Permit goes with the parcel, does it run with the land? If not, then Troy Miller should not be applying.

The Board also wondered if it mattered where the house was built on the parcel and the correlation between location of house and side yard. Dean Whalen told the board that they were to only consider what was on the plans submitted.

Dean Whalen told the Board that he wasn't sure that the board should be proceeding with this application. He advised the Board that the property is not in the village officially yet. The Village did not understand that an actual date need to be decided on and the annexation must be filed with the state.

The Chairman asked that the record show the following items that the Board should discuss with the applicant and the village attorney at the next meeting:

- 1) Who actually owns the property Troy Miller or Pangburn LLC?
- 2) Who should be applying for the SUP and does the SUP go with the parcel or applicant?
- 3) Should this application be heard by the Village or the Town?

The Chairman next reviewed with the board the Stewart's Shop application to amend their Special Use Permit. The Board felt there were a lot of problems and questions that needed to be answered. The

Secretary was asked to telephone applicant and make sure that someone from Stewarts would be at the next meeting.

Board members discussed the following issues:

- 1) Required amount of parking – will this new plan meet Village Code?
- 2) Concerns about the setbacks from the creek and the environment impact of having pavement so close to creek. Vehicles leak oils and other fluids and run off may end up in stream and have an adverse effect on the stream.
- 3) How will the new FEMA Flood maps be affected, will FEMA or Department of Environmental Conservation have to be consulted.
- 4) Why using metal sheeting on building if the rest of the building is brick?
- 5) This is changing the roof line, board feels the store is cobbled together? Not appealing.
- 6) Concerned about the illuminations? Have the signs already been changed?
- 7) Board inquired if Stewarts could just tear down the old building and replace it with a new building such as that on the corner of Route 146 and Route 20.

The Secretary informed the Board that in the spring of 2015, new FEMA flood maps would be in effect and that FEMA has enlarged the flood zone areas along local streams and creeks.

After reviewing the plans the Board made the following observation: Stewarts would lose green space, bump out the fence and enlarge the parking lot.

Dean Whalen informed the Board that after the 1st of the year, NYS energy codes goes go into effect. Not sure how this would impact the request.

The Secretary was directed to pull the files on Stewarts and locate the history and approved Special Use Permit for Stewarts. She is to forward the information to the Board prior to the next meeting.

The Chairman wanted the record to reflect that the meeting held tonight did not constitute a concept hearing. The Board has many questions and concerns about the application and would like to have a representative here to discuss the questions and concerns.

The next meeting is tentatively set for Monday, November 24th at 7 pm if the applicants will be in attendance.

Board member Van De Carr adjourned the meeting at 7:44 pm. Board member Glass seconded the motion. All in favor.

Respectfully submitted,

Kelly Best