

TOWN OF SHANDAKEN PLANNING BOARD
MINUTES FOR PUBLIC HEARING & REGULAR MONTHLY MEETING 3/13/13

The Public Hearing was opened by Chair Joanne Kalb at 7:00 PM with the Pledge of Allegiance to the Flag. The Secretary called the roll, advised that a quorum was present and that the meeting could commence.

ROLL CALL:

Don Brewer	Present
Art Christie	Present
John Horn	Present
Joanne Kalb	Present
Joan Munster	Absent
Faye Storms	Present
Cliff Rabuffo	Present

Roll Call Summary:

6 present 1 Absent

Others Present: Hank Williams, Rod Futerfas, Eric Hofmeister, Mark Lerner, Suzanne Gilman, John Wasylyk, Bernard Handzel, Wilfried Nolte, Julie Greenwood, Michelle Spark, Mark Lerner, Nancy Howell, Shea Settini, Murray Nass, Lynn Parker, Liz Potter, Robert Krendel, Janice Palmer, Beth Waterman, R. O'Conner, Hilary Swann, Michael Ottavi, Tina Rice, Kathy Nolan.

Case 2012-10 The Phoenicia Library PO Box 555 Phoenicia, NY. They are seeking site plan review for property located at 48 Main St. Phoenicia, NY SBL# 14.13-3-4, Zoned HC

Mr. Hank Williams spoke regarding the library and indicated that he feels the site plan has overlooked the problem that it is zoned commercially and that people also live there so it is residential for these people. He also feels the footprint is much larger than it should be and extends too far into the back.

Mr. Hofmeister spoke indicating that no one has a problem with the library being re-built but the issue is there is no fire wall being three and a half feet from the neighbors and that it infringes on the neighboring properties. He feels they do not need to expand this large to be ADA compliant. He also indicates there are two libraries in Shandaken, the other being in Pine Hill. He feels until the Article 78 hearing has been decided that there should be no action taken on the site plan review.

The following people spoke in favor of the library site plan review being approved: Mark Lerner & Suzanne Gilman.

Architect John Wasylyk spoke regarding the design of the building. He indicated that the building has an issue with the staircase that prevents some people from using the library. Also, the staircase in the back is too narrow. They decided to expand the library to accommodate everyone and become ADA compliant. They wanted to maintain the physical character of the building. He continued to review the building design specifics. He indicated they are adding twenty four feet to the back of the building. There would be a three and a half foot walkway on the side of the building.

Mr. Wasylyk proceeded to address each issue listed on the site plan review application. Member Art Christie suggested they go down the list in order to address each issue so nothing is missed. The heating system will be located in the attic and gutters will be added with a downspout directing any water coming off the building to the back. There is no on-site parking or unloading area. The building materials will be delivered through the back and Mr. Alfred Peavey has given them permission to use his property to access the back of the building, the board suggested they get this in writing. The septic will be replaced last. The board reviewed the septic system set-backs that the DEP approved. There will be a covered ramp that will be ADA compliant and the rear entrance will have three or four steps. It will not be used as an entrance for patrons. Chair Kalb asked about the fire escape and asked where on the new building this will be located. Mr. Wasylyk pointed out the fire exits and indicated they would be in an air-locked area so they would not have to go back into the building. Chair Kalb asked if there was another fire in the front of the building how would patrons get out. Mr. Wasylyk indicated they would still have the rear door and the windows in the addition will open. They would not be able to access the back door from the second floor. There will be an eight by eight foot shed for storage. There will not be access to the rear of the building for any type of deliveries. They discussed the building materials and indicated that it will have a one hour fire rating which is the current code. They already have an existing hook up to the town's water system. The electrical system will be upgraded and meet FEMA requirements for a flood area. The hook up will be on the side of the building and will be closer to the building on the east side. They do expect the line to reach

the pole. The pole is currently located in front of Morne Imports and across the street. He has not consulted with the electrician as of yet to work out the details. They will look further into this. The nearest fire hydrant is fifty four feet from the building. Member Christie asked if anyone had contacted the local fire department to see if they had any concerns. Mr. Wasylyk indicated the distance between the two buildings will be approximately four to five feet and approximately three feet one inch at the narrowest point. It was indicated that the water during the floods did go down the alleyway and Mr. Wasylyk indicated this was brought up in the Zoning Board of Appeals process and was addressed. There will be no solar panels located on the roof. The heat will be forced air gas and the tanks will be located in the back of the building. The plans show two signs, one in the window and one above the entry ramp. The board indicated that current zoning allows for one sign not to exceed twenty-four square feet. There was no variance granted for the sign as they did not apply for one. He indicated the can remove the sign in the window. Mr. Wasylyk indicated there will be no buffer areas. The lighting will consist of four lights along the entrance ramp and two on the back of the building. There will be none on Main St. They will be shielded lights facing down. He explained the use of the square footage and there will be no retail space. The landscaping will consist of top soil and grass. The chain link fence is the neighbors. He indicated the elevations is listed on the plans. Chair Kalb would like to see something from the Fire Department indicating any concerns or if they have none. Member Christie would like to see something indicating the amount of parking spaces needed. Member Storms asked about a timeline for the project. Mr. Wasylyk indicated approximately eight to nine months. There will be no parking behind the building.

Mr. Hofmeister asked if anyone had seen the square footage of the rear addition, Member Christie indicated that the total existing square footage is one thousand sixty three on the first floor and eight hundred thirty two on the second floor, for a total of one thousand eight hundred ninety-five square feet. The proposed square footage is: one thousand seven hundred thirty-nine on the first floor, and one thousand four hundred ninety-six on the second floor for a total of three thousand two hundred thirty-two square feet. He indicates that in closing the alleyway it would affect the water flow down the alleyway and Main St. He would like to know the actual distance between the library and Mr. Nolte's building. He indicates that the reason we have zoning codes is to protect buildings from being too close together. Member Horn asked about Mr. Nolte's chimney and how it appears that it is on the property owned by the library. Mr. Hofmeister indicated that it probably is due to it being built so many years ago. Mr. Hofmeister brought up that Mr. Peavey indicated the right of way he is giving the library is temporary. Member Christie asked for a calculation of the amount of water being displaced in the alleyway. Mr. Wasylyk indicated that this was addressed before the Zoning Board of Appeals and that a calculation would be extremely difficult and would have too many unforeseen issues. Member Christie suggested contacting FEMA to see if they would be able to assist in determining this information.

There being no further questions a motion was made by Chair Joanne Kalb to continue the public hearing until next month. Seconded by Member Art Christie, all members present in favor.

The regular meeting was opened and roll call was dispensed with as there was no change in attendance.

1. Old Business: None

2. New Business:

Case 2013-02 Kevin Lancaster 11735 Bragdon Wood Clarksville, MD. Seeking a Lot Line Adjustment /Subdivision for property located at State Route 28 and Hudler Rd. SBL# 25.15-1-38.200 & 25.15-1-39.100 zoned R1.5.

Mr. Lancaster is present and has explained that he is requesting a lot line adjustment/subdivision so he may sell the lots. Member Storms indicated that the farm stand located on the property is an accessory. The secretary indicated according to the zoning book a farm stand is an "accessory use" not an "accessory structure". Mr. Lancaster indicated that Mr. Migliorelli has no intentions at this time of farming the property. They are still applying for an agricultural designation with Ulster County. A discussion ensued on the property and farm stand. He suggested he may go for a use variance or request a change in zoning. There was further discussion and it was indicated that Mr. Migliorelli's lease is for this year and next year. Mr. Lancaster does not have any maps done or a new survey done. There was a discussion that last year, when Mr. Lancaster appeared before the Planning Board for a special use permit for the farm stand it was indicated that if he decided to subdivide that would make the special use permit void as the farm stand is an accessory use to the farm house. It was stated that the Planning Board cannot make a determination that would create a non-conforming situation. Mr. Lancaster will withdraw his application and look further into his other options.

Case 2012-03 Robert Krendel 61 Marion St. Lynbrook, NY Lot Line Adjustment for property located at 802 Route 214 Chichester, NY.

Mr. Krendel is present and has explained that he is requesting a lot line adjustment to take two parcels he owns and combine them into one so that he may build a house. A brief discussion ensued and Mr. Krendel will appear

before the board next month with a new survey to include elevations and septic.

Other Business: Member Art Christie made a motion to accept February's minutes as presented. Seconded by member Faye Storms, all members present in favor.

There being no further business a motion was made by member John Horn to adjourn the meeting. Seconded by Chair Joanne Kalb, all members present in favor.