

“Minutes are not official until approved by their respective board.”

TOWN OF FALLSBURG PLANNING BOARD MEETING

March 9th, 2023

In attendance: Arthur Rosenshein, Chairman, Bucky Louckes, Gary Tavormina, Paul Lucyk, Irv Newmark Planning Board Members, Mollie Messenger, Code Enforcement, Helen Budrock, Town Planners, Dylan Harris, Town Attorney, Ken Elsworth, Keystone

- Arthur Rosenshein called the meeting to order at 7PM.
- Previous meeting minutes accepted with additions
- Arthur Rosenshein: Just remind you, everyone who has applications in, there's a notice on the website, which basically says we can, the Planning Board may pass a project, but that doesn't mean that it gets sewer and water.

PUBLIC HEARING:

1. KJ ESTATES DUPLEX DEVELOPMENT – SBL# 12-1-64/17-1-2

- Glenn Smith and Eli Brezel represented.
- Glenn Smith: This is on Carmel and Jacobs Road in Loch Sheldrake. It's on the corner of Route 52, which is here in Carmel and Jacob Road. Across the bottom here is Loch Sheldrake Firehouse is right here. The former Jeff Bank is here also. Crabby Lane is down here on the north side of the property. The property is vacant now and wooded. It's 22.8, almost 23 acres which is two separate parcels. One parcel, 52 Baker Road, and the back parcel front on Vacant Road. And what this is, is basically a proposed duplex development. What's shown is a 26 duplex homes, which is 52 single family units along with a small caretaker's house, swimming pool, tennis court, handball, and basketball court on the

property. The property is in the town water district. Now the majority of the property in the town sewer district, the whole front of the property here is in the town sewer district. The back of the property in the town sewer district. This little notch in the middle of that, for unknown reasons was never put in the sewer district. So we've submitted a petition to the Town Board for extending the sewer district, taking that small parcel here. On zoning the front portion of the property is in the HR Residential Zone of the town which does permit duplex housing. The rear portion of the property is in these towns REC recreation zone, which does not permit duplex housing. But all this property a couple years ago was all in the HR zone and it was changed when the town did some rezoning of this whole area a few years ago. We're not sure why it was changed from the HR to REC in this section here and usually with REC zones when you don't have sewer water. And we have both here. Water mains, road water mains on 52, sewer mains and sewer lines on 52. At this point we had the discussion with the Town Board on two things. One extending the sewer and taking this notch here at this and secondly, to change this portion to the property from the REC zone back to the HR zone. And the Town Board finally got to a point where they said, I need to go to the Planning Board process first. Go through SEQR process, get a negative declaration for SEQR on the plan and at least the conceptual approval of some type. Back to Town Board for finalizing hopefully the sewer district extension and the zoning change. Other than that like I said, pretty straightforward. Town sewer line across the road here. Superintendent didn't really want us signing for them cause they go to a town pump station. Which is kind of a capacity and they prefer that we come out to the sewer line on Route 52, which we'll do, we could pump the lower section to get up here, but that's not a big problem. The town sewer plant, the plant capacity, is at million gallons a day. And right now in the summer, during the average summer flow is around 500,000, 600,000 gallons per day to the town plant. So there's plenty of capacity for the sewer. This project has full, that will be 35 gallon per day. So there's plenty of sewer capacity. There's water. We gotta do a study with engineers. Make sure there is enough, water and water pressure, that type of thing. We still have to do SWPP for this, the storm water. So we're not ready for any approval. Nothing. It's just a basically a presentation.

- Arthur Rosenshein: No, you're not ready for an approval.
- Glenn Smith: In case case you wanted a couple things
- Arthur Rosenshein: I forgot to point out. One is that in the public hearing phase you speak, the board doesn't say very much right now, but it will appear on our agenda as I think new business item number one later in the evening. So if you're particularly concerned about it, we will talk about it later. At that point we speak

and you don't, but this is your opportunity to be heard. The other thing is we speak in jargon. So when he said SEQR, I heard him say that it's a State Environmental Quality Review Act. That's the environmental study that every project undergoes. So that's just a code word for it, and then it has a long way to go yet. With which is there anybody has anything to say on it? Your name please.

- Mary Adam: So I must say, in my research I saw that there's HR zoning one third and two-thirds REC. I see. So that means that most of it is actually REC. And this is a new project. We already have Hasbrouck A, we have Zimmerman, we have Luxor, and I think we have one other that are already gonna demand. I know Luxor would be 90,000 gallon today. I think Zimmer was somewhere around 50 or a hundred. So I just wanna say, why would we want to change this building? We changed it because it's part of a comprehensive plan, which was to create more density to be closer into the town and more green space going out. And I just don't see any reason that this would help the town. Already way too many people traveling here and it's dangerous and I just, I just don't see any positive reason for another development in Loch Sheldrake. That's my, my thing.
- Arthur Rosenshein: Any response? You don't have to
- Glenn Smith: Obviously we have to investigate sewer and water and whatever. It's vacant parcel with sewer and water.
- Eli Brezel: Based on if, when we do get a rezone, God willing, he would be able to do like 76 homes. Obviously we're not proposing to maximize the property, so we're only asking for 52. So we're leaving a lot on meet on the table.
- Glenn Smith: The Town Board did request
- Ei Brezel: Exactly. This was part of negotiation. For the town to consider it was number one obviously the only proposed 52 units. Number two was not to have any homes close to any neighbors. So that's why if you look at the plan, these homes are further away from the property line. Also, we proposed to put a lot of screening on the path. A neighbor right on the top over here. And the flip side was even if the town would not give us a rezoning, we were able to do like 40 homes. So it would be existing, this being HR and this being REC. So it's not like if we don't get the rezone, this project is dead or it will not have any homes on this property. So it's either having 40 homes of townhouse homes that people prefer less than these type of homes, or making a so called compromise and getting 52 more attractive homes as opposed to 72 that the zoning would allow even after rezoning.
- Arthur Rosenshein: HR refers to hamlet residential zone. REC is recreation and
- Mary Adam: HR means you have two acres per and no HR means have 12,000 square feet per

- Glenn Smith: Yeah.
- Sady Brickman: I just don't see why we would turn the zone. The planning has been zoned for recreational area and it's so easy to creep into that again and again and again. We creep into that. So I have to say, I would be against anything that would zone, take a recreational zone area and away from it. Cause there's already encroachment on green space in this area in a huge way. And it is the primary problem with this.
- Arthur Rosenshein: I may point out the Town Board is the one who votes on that. Not the Planning Board. They don't ask. No, but that's alright. Just so you understand that if you are going be against it, Town Board is the place where to express yourself. Yeah.
- Mollie Messenger: We're rezoning law. Yeah. Cause you're changing a local law then that's the Town Board.
- Mendy Goldschmidt: Hi, my name is Mendy Goldschmid. I'm a resident of Evergreen Estates and a board member of Evergreen Estates, which is across the road from where you're building. We had an issue that's actually ongoing for probably five years, which was very disappointing. We come upstate to feel and to be in the country, not in a place where every tree gets cut down. And we have this with Luxor Estates abutting us has not been resolved to date and we're concerned the same issue is gonna happen over here as well. So we wanna know what the developer is gonna be doing to make sure the natural trees are there not tree that they're gonna promise and they're gonna plant one day when I'm dead or any, the residents in evergreen estate are gonna be dead to keep the natural trees on a buffer that it feels like we're still in the country along the entire Carmel and Jacobs Roads.
- Arthur Rosenshein: And again, I refer you to the Town Board for a dispute on zoning changes. I said remember the Planning Board is not the one who changes zoning. The town board is
- Mendy Goldschmidt: We're not asking to change the zoning. We're just asking what the developers is going to be doing to keep the integrity of upstate New York to keep the trees along Carmel and Jacob's Road.
- Arthur Rosenshein: The Town Board is the one who would change it to a higher density, and that is the forum in which you need to discuss.
- Mendy Goldschmidt: I am not asking about the higher density. I'm asking about the trees that should not be touched. What is the buffer zone between the road? The lot line and going until the houses, when the houses start. That's what I'm asking. And are they gonna keep the trees along the road?
- Arthur Rosenshein: If I may, sir. In the town board negotiations, they can ask for things that we can't. Okay. Proper form can go at

- Mendy Goldschmidt: Can't the developer explain what he plans on doing.
- Arthur Rosenshein: He will
- Mollie Messenger: Right. They're still gonna have a landscaping plan, so they're still going to be looking at the landscaping and, and doing all that. We do a new procedure though since Luxor was around. So after the foundations go in, there'll be a new look at the landscaping to see how many more trees need to go in.
- Mendy Goldschmidt: But is there a way to make sure it's, they don't cut down the existing trees, to not destroy the, the existing trees that are a hundred years old or more
- Arthur Rosenshein: In certain areas the Planning Board does have authority to have a buffer built in and there they won't be cutting the trees.
- Mendy Goldschmidt: So what is being done on this? So what's being done on this development to make sure the whole tree don't get cut down along the entire Carmel and Jacobs Road.
- Arthur Rosenshein: That'll be part of the process. We are not up to that yet. We are hearing about it at a very early stage right now, but keep checking on it as it goes through because it will be turned to us over and over again.
- Benjamin Leven: I'm also a resident of Evergreen Estates. My question for this project is twofold. Number one, how many more cars is it gonna add to Carmel and Jacobs Road, which is a road that doesn't get very often paved and cleaned up as much cause it's not a state route, number one. Number two is what is can, and this is I guess the Planning Board. Can the, can the sewer, the current sewer and water system handle another 52 homes along that area?
- Arthur Rosenshein: And I cannot answer that question. That's up to the town engineer who will advise us. We don't, we don't go through the numbers. We simply get advice and it's above our level. We'll approve it or disapprove it. They have to be provided with water and sewer. That's a decision made on engineering level.
- Benjamin Levin: So, so my question then to you is, cause every question gets referred to a different part of the town. What's the planning board's purpose then?
- Arthur Rosenshein: Now, that's an interesting question. There are voluminous laws that have to be respected as sort of development, how far apart units can be, how much trees are left. The Planning Board is actually a board of technical review. The term planning is sort of a misnomer. What we do is we follow the laws of the town and zoning laws and make sure they're enforced in a project as we go along. So the town board sets up the rules. Planning Board is the one who enforces them.

- Dylan Carney: I would like to say that as a resident that moves that lives down the street on Maplewood this really concerns us and our community. You know we moved up here with all the greenery hoping the town is growing and we feel like the town is growing in the wrong way. Loch Sheldrake that is. Instead of a new store that supports a family's needs, we're approving a gun store next to a liquor store in a college. Instead of stricter guidelines around high density apartments and taking into account the ones that already exist like Lakeview, Luxer, and Evergreen. We're starting to allow proposals for this, the one across the street for, for Sunny Iceberg and for a potential Luxor Jr. I mean, at some point. Is this all it's going to be? So definitely not excited about this.
- Mollie Messenger: That's all that was online, sir.
- Arthur Rosenshein: Okay, let's give him the chance to reestablish we will hold your hearing open. Excuse me. Other than that, the hearing is partially closed except for this one gentleman.
- Glenn Smith: There's no intent to cut trees down along Carmel and Jacobs Road, or along 52. Existing trees will stay at least 50 to 85 feet back from the road there. And we have to submit a landscaping plan for the board's review, which is gonna have a lot more trees. So that's, we'll come down the pike as to go along.
- Gary Kalcher: And before I start, I have a question first for you, Arthur. So what is the purpose of the Planning Board of having this time when we can all speak? It seemed like every question was referred to the town board, so I mean, I have a lot to say, but can you help me with that?
- Arthur Rosenshein: Yes, certainly. First of all, any questions you ask the developer will have to answer along the process. We're simply gathering information at this point. Later on in the evening, if you stay with us, it will be on our turn on the agenda. I've spoken a lot because of questions that I had to refer to, but our purpose will be become evident later on in review.
- Gary Kalcher: Okay, so basically you know, as we all know, you know, there are, you know, there's a lot of new developments coming up. Everybody's discussed this, the summer traffic I think everybody here knows how crazy and busy it is. And I mean, last year there was a Planning Board meeting and Glenn Smith asked if there was much pedestrian traffic on the corner of Jacobson Route 52, and Bucky said, oh yes, lots. You've got Luxer, evergreen, so there's a lot of traffic already. So Bucky also said it's a pretty busy road, lot of traffic. And also the water and sewer I still feel rather concerned about, even though I'm told many times, oh, don't worry about the water and the sewer, there's gonna be water. I know every summer I get told, I get called and I get told, please conserve the water. We don't have a lot of water. And Gary, you know, at a another

meeting said that he said, we know that Lock Sheldrake has no water pressure. And he was saying he would now want to add all these units to a low pressure system. So there's a lot of concern about what, what are we doing? And specifically with this one place. And the reason is, normally if you have a certain type of zoning, great, then you should get a certain number of houses to be built or duplexes or whatever your zoning allows. But this is not something that this has mostly a REC zoning. So why would we even recommend to another board that we should change this? Oh, yes. Let's, let's, let's change this to HR cuz that will lead to higher density and, and higher density will lead to more problems with the water, more problems with the traffic. And also, you know, the gentleman who spoke for the project said that it's not that if they don't get the zoning change, that the project is dead. It's not like that he's gonna get his normal 40 homes. That's appropriate for this place. Now I am concerned also if you give him the zoning two think zoning changes, you've done two things. A, you've created a precedent. And I don't see why you shouldn't give it to everybody else in this town. How can we say no to other people? We say yes to him, we gotta say yes to other people. It's just common sense. And then also in the future he could, you know, they could say, okay, it's, we've got, we, we've built 52 homes and we've decided we're allowed, we really are allowed 76, and we would like to build more homes. I have seen that happen several times where we had special deals with people. And then later on, 10 years later, they came back and said you know I wanna build more homes, even though we had a deal that they would not build more homes if we allowed them to build more densely. So that's, so in summary, lots of developments. There's incredible demand for the property here and for more building, let's not make a precedent to start changing people's zoning. I think Helen's Budrock had spoken about that previously at the last year's meeting. And she had mentioned about that quote unquote I think the board has to be careful with future precedent. If you rezone this, it opens the door for the neighboring property.

- Arthur Rosenshein: Okay. Does remind you, as I said earlier, this board has no authority changes in zoning. Right. It has to be done at the Town Board level. We're not asked. We have no input in it. We do have
- Gary Kalcher: So you have no input?
- Arthur Rosenshein: Well, when was the last time you formally asked?
- Helen Budrock: Legally you're supposed to be asked.
- Arthur Rosenshein: I understand that.
- Mollie Messenger: It does come on the board. You are talked about it.
- Helen Budrock: Yeah. Any, any time. The town board there was a request for his own change. It comes to the planning board for a recommendation. I think when

we come to it in the agenda discussion, I'd like to ask Dylan some questions about the process.

Right. Because you guys went to the Town Board for the rezoning request. They kicked it back to the Planning Board and are basically asking the planning board to issue conditional site plan approval when we get to that point without the zoning being changed. It's kind of a chicken and an egg kind of thing. So we'll discuss it a little bit further when we get right later on.

- Arthur Rosenshein: You heard my frustration. We are in reality rarely asked Just wanna make that sense.
- Helen Budrock: Okay. Legally, you're supposed to be asked . Legally it's supposed to be two different things.
- Arthur Rosnehein: Anybody else?

2. JASMINE LYNN – SBL:17-1-21.2

- Jasmine Lynn and Christina Bruner represented.
- Jasmine Lynn: We are looking to open up a small thrift stor out of the old GS electric building. I don't know you guys familiar There's like 1, 2, 3, 4 bays altogether. So in one of the bays, there's enough space to open up a small thrift store in Loch Sheldrake. I know that there's an issue with the parking. There's some questions about the parking all the way around the building. So we drew this, we took a photo of it and we drew this diagram. I was told that it doesn't have to be anything as spectacular as the other guys. I guess if you guys can see it, the parking for us that we're anticipating would be to the the left. I believe there's enough spaces there. We're only looking to start to open up one day a week, possibly on Sundays. Just to kind of, you know, see how it goes or, you know, that kinda thing.
- Arthur Rosenshein: Okay. I just remind you, we will discuss it with you. The first item on our agenda will be your project. At the moment though, does anybody have any comments, questions? Okay. Then public, your public hearing. Thank you.

3. MEP WHOLESALERS – SBL# 60-1-21.1

- Joel Kohn represented.
- Joel Kohn: Wholesale is a company that sells mechanical, electric, and plumbing supplies. They're proposing a 12,000 square feet building on a seven acre parcel on La Vista Drive. This is La Vista Drive and this is State 42. 5,000 square feet, which will be used for a retail space and 7,000 square feet for (inaudible). It

is in the I zoning district. The property is in the town water and sewer. That is basically it

- Audience: I know this was zoned commercial for some industrial. My question is why wasn't it oriented to center on Main Street or Route 42, which is, you know, like all the other commercial spaces on Main?
- Joel Kohn: No, that would be too, that's route 42. That would be too close by section. They don't have a lot of frontage on 42.
- Audience: And this is from experience. I had another business closer to Liberty, that you create a driveway, I dunno where your driveway is. This it?
- Joel Kohn: Yep.
- Audience: Okay. I propose you may go all around your property so they can exit the same way because you're gonna have big tractor trailers probably coming in and big truck coming in to unload and go. Right?
- Joel Kohn: Yep.
- Audience: So on this other establishment, I was stuck on the street cause the tractor trailer tried to back into the place and they were blocking the two-lane road. Most of us just turned around and went a mile out of our way to get around there. So that would be a very easy fix. Now this turn from Route 42 is kinda a tricky one. Can be dangerous. So you don't wanna have any congestion here. Vista is already very congested on the other end. That would be one case. The other thing is right now there's maybe five or six vehicles that park along here in the summer, and I think they live across the street cause they have no parking in that area. So you might want get in touch with them cause otherwise you're gonna be heating your customers. What building look like it be?
- Joel Kohn: Metal building.
- Audience: Be like a mini Home Depot kind of thing.
- Joel Kohn: Will be 7000 square feet building 20 feet, 22 ceiling.
- Audience: Okay. So the the entrance is one of the most important things because this is already congested and when you make that turn around the other of the, on the other, it's a big backup every Thursday and Friday.
- Arthur Rosenshein: Anybody else?
- Audience: I have the same concern with a lot of traffic in that area, even though I welcome a business. As opposed to more houses. I think it's good to welcome businesses to our town. But in the summer, La Vista is already very, very busy and I can't picture how trailer trucks there coming in and out It'll be manageable for people around, particularly at the end of the week.
- Arthur Rosenshein: Anyone else?
- Mary Adam: Is this sort of near a Heiden road? Is it on the other end of La Vista?
- Joel Kohn: This is where Heiden Road is.

- Mary Adam: Okay, so I'm getting where this is by the blinker way, right. So what my concern is, cause this business will be happening on the weekends
- Joel Kohn: Year round.
- Mary Adam: So as far as I can tell across the street, there are a lot of children in there and all in that area, not just grown up people. And I'm just concerned again with the trucks and the traffic that may come and go. I just think we're gonna have to be, I dunno, very well protected for the children.
- Arthur Rosenshein: Thank you. Hand is up in the rear. Go ahead. Yeah.
- Carol Bell: I'm in south now. Vista is a two-lane. And it's not maintained very well. The lines on it are not maintained very well. It's already hazardous. It's pretty curvy. I know there's other developments that might be going in somewhere in that area that's been discussed over the years. Why can't they come in from Route 42 and make, you know, so they don't have to use La Vista?
- Arthur Rosenshein: Can you answer that please?
- Joel Kohn: I can answer all that. So, like I said before, Route 42 is not allowed and the DOT would most likely not permit that.
- Arthur Rosenshein: That's the state, New York State amount.
- Joel Kohn: The governing body on Route 42, they won't allow any uh, the entrances close to that intersection. And the traffic concern, tractor trailer back in and out of the road that has all being taken in account. If you look closer, there's a simulation here which shows how tractor trailers are coming into the property and they come back into the side of the building within the property. They won't have to like the road, they won't have to back in, out directly to and from the road.
- Carol Bell: A tractor trailer coming out on La Vista. I, I don't know if you, I suppose you know what La Vista is, but it's, it's a very small road. Anything will block it up and it's the main road that goes down towards Whitaker. It's a very well traveled road, especially in the summer as it is now. We could use a couple of lights when we come out of Timber Hill over there. They were caught speeding down there. It's really very difficult or I just can't see track the trailers at all going in and out and traffic flowing in any kind of sane manner.
- Richard Hutz: My name is Richard. I just have one question. I can't quite see the map. This parcel is, this is a separate parcel?
- Joel Kohn: Yes. That is Fallsburg Gas
- Discussion
- Joel Kohn: We can look into it.
- Arthur Rosenshein: Anyone else? Public hearing is closed.

NEW BUSINESS:

1. JASMINE LYNN -SBL: 17-1-21.2 – Requests review of plan to open a thrift store. Zone: B, Acres: .92. Location: 1097 St Rt 52.

- Jasmine Lynn and Christina Bruner represented.
- Arthur Rosenshein: Did you have anything for this one you?
- Mollie Messenger: This one you guys have seen a couple of different times. I don't know if Helen can pull up what was previously approved, so I don't know that it's an issue having that use in the garage. Greg did go out second. Greg did go out and do an inspection to see what safe precautions were to have. Cause they do fix the taxi cabs on the other side occasionally. They just wanted to make sure that there was a fire barrier, that it met code out there. The difference, or the only thing with the site plan on this one is that there's already taxi cab parking, apartment parking and visitor parking. Then there'll be this parking. And so Helen,
- Helen Budrock: Is it the Jasmine too that you were talking about?
- Mollie Messenger: Okay, so Helen's gonna bring up the other plan. So some of the parking that you're talking about is already taken for, we just need to figure all of that out, I guess.
- Arthur Rosenshein: When we approved what it's there right now, which was a year or so ago, we approved it with the parking areas being designated. In other words lines so you, you know how many spaces are available? I don't think we ever got the parking designated did we?
- Mollie Messenger: So this is the one that Arthur had stamped a while ago. And the reason there wasn't any parking in front is because there were the garage doors and I think there was access to travel patterns and all that. We worked a long time with a lot of different things, getting that together. So we just, I guess, need, you need to delineate that the parking 13, 14, 15, 16 is not gonna be used for that. And then do you need that parking? Parking 13, 14 somewhere else is what I think you need to discuss.
- Helen Budrock: Did we do a parking calculation based on zoning?
- Mollie Messenger: Yes. This is what was approved. This is what we needed. Yeah. So a thrift store, I can't imagine you're gonna need, you won't need only a couple of spaces, I just don't know.
- Arthur Rosenshein: But for efficiency to have them outlined so that people know where they are and they don't use the parking more efficiently. If there are lines that's, and we did ask for them the last time. So, yes, you wanted to speak?
- Christina Bruner: I'm Christina Bruner. I'm the owner of the property. And originally when we you know, this plan I had thought I was gonna need more of

my garages for mechanic use and et, etc, et cetera. But some things have changed. I've left tenants now. So parking on that side has changed. I have less vehicles now than I had at that time. The mechanic is only using one bay. Originally he was gonna use two. So we were talking about parking for him and, and his potential customers for the mechanic shop, but that didn't work out. So Jasmine now wants to rent one of the bays for me to, you know, do this. And I know there's plenty of parking by looking at it, especially on a Sunday that they wanna work cause we don't have a lot going on on Sundays with the taxi with. And I don't have a problem painting the lines. I just, I tried and it didn't stick , so I'm not sure how to make that paint stick.

- Arthur Rosenshein: That's not my area. We can help you with that.
- Christina Bruner: Signage is possible for sure. I mean, you know, to indicate where parking is for each business. I mean, that's not an issue.
- Arthur Rosenshein: I've never driven by there and seen you before the car.
- Christina Bruner: Exactly.
- Arthur Rosenshein: Only spaces available.
- Christina Bruner: I see other places next to the building and down the road that's packed with cars and I don't even know how it's allowed.
- Bucky Louckes: But I think, I think I'd rather see line on the ground design picking up all.
- Christina Bruner: Do you have suggestions? Cause like she said, I mean, unless you're gonna line,
- Jasmine Lynn: I did it and it lasted like two days and
- Discussion
- Christina Bruner: I mean, we're happy to throw lines down.
- Mollie Messenger: The only thing that's an issue and why so you have apartments that are parking, you have taxi business that's parking, maybe if you're fixing the cars, and now maybe the thrift shop there. Well, the fixing of the building. So the only difference is, the only thing that I'm worried about or that the board kind of really needs to think about is if there's an emergency and somebody needs to get to the back of the building or out of the building or around the building. So that's why we have to delineate the parking spots. So I don't know, you had proposed to park in front of the bay
- Jasmine Lynn: A couple of spots in front of the bays because they're not being utilized. And in front of the bay that we would be renting there would be a parking, two parking spaces that could go right there. I mean, we are only planning to be open once a week, even if we were open twice a week, you know, Saturday and Sunday. It doesn't interfere with the daily operation. And not for nothing but there is the parking, like if there were an emergency, the lot is large

enough to come all the way through. And if the fence in the back was removed, it literally could go all the way around the building and still have an entrance and an exit.

- Mollie Messenger: Well, that's why the apartment, well, we went through all that in the last time with the apartment parking, but I don't know. And I mean, that's up to the board that if you're renting that bay, and I don't know what happens in the bay closest to the end, like you did put up a sign on the building that said this is thrift store parking weekends only, or something if that would be a problem.
- Christina Bruner: No, it's not not. I dunno.
- Paul Lucyk: Put up a sign if you get white paint and you delineate it
- Jasmine Lynn: I could delineate a few parking spots. The store only.
- Paul Lucyk: If I remember right, there is a option for more parking spaces behind the building or whatever. I think there was plenty of room for that.
- Christina Bruner: There's room to make more parking there need, but I don't feel it's necessary. I think there's plenty of parking what we have going on. Yeah. I mean it doesn't look like it from a drawing, but the back spot holds all of the cars to begin with and each time the staff comes in with their card to take a car out, their car comes in. So it's almost like the taxi account. There isn't all these staff members plus these vehicles.
- Arthur Rosenshein: Let's just anybody else from the board?
- Gary Tavormina: I got a comment. Is there any chance have, because of the changes of the agreement of what's being done at that site, do we need a new agreement or what they wanna do?
- Arthur Rosenshein: No, this will be an amendment to it.
- Mollie Messenger: It's an amended site plan.
- Gary Tavormina: The reason I'm saying that is if the old agreement stays put, they can still go back and put a mechanic in, do whatever they want. Where you don't, you have a new agreement with what they want to do. Now you eliminate what was readily given to them.
- Mollie Messenger: Right. So you're in front for an amendment. So yes, they're, this can all, it can all be amended. So if you're not having a mechanic anymore, then they can take the mechanic off.
- Jasmine Lynn: I have the in-house mechanic doing the taxi stuff in the one bay, but originally he wanted to do like side work and rent out another bay for his own customers. But that is no longer.
- Mollie Messenger: Okay. So that'll be a change. So you're doing in-house taxi work only in the garage correct?
- Jasmine Lynn: Right, right. Okay.

- Arthur Rosenshein: So we're gonna talk about the amendment to the original site plan, eliminating the mechanic for outside work. Permitted it is no longer on the site plan approving this use of one day. And asking that the parking can be delineated. So that sign or something for the front or for the entire
- Discussion.
- Arthur Rosenshein: Somebody can make a motion to that effect.
- Paul Lucyk: Well, I'll make the motion
- Bucky Louckes: Before you gonna operate on Sunday. Why would you put yourself only on Sunday? Why wouldn't you seven days a week? Cause down the road, tell you
- Arthur Rosenshein: I'm not proposing a motion to say Sunday.
- Arthur Rosenshein: It was good point. We're not limiting Sunday. Okay.
- Bucky Louckes: One day. Cause you know, if you get busy, you see Friday, a good day.
- Arthur Rosenshein: The motion only includes allowing signage and the hope that, we'll, the hours of operation idea.
- Christina Bruner: Like currently we don't even have a name yet. Like we're just, we wanted to come here first, make sure everything was gonna kind of, and if it is, we're gonna be like a late night thrift store. Like, you know, 11 to five or something like that.
- Arthur Rosenshein: It's a very small thing. So we have a motion.
 - Motion.
 - Bucky Louckes motions for conditional approval. Irv Newmark seconds. All in favor

2. EL RODEO CORP – SBL-54-2-11 – Requests review of plan to renovate existing units.
Zone: REC, Acres: 2.98A Location: Main Street, South Fallsburg.

- Application off the agenda

3. PERENNIAL PARK – SBL- 11-1-29.1 – Requests site plan review to develop a 66 unit Duplex development. Zone: R, Acres: 30.56A Location: Edgewood and Whipple rd.

- Joel Kohn and Mike Reilly represented.
- Arthur Rosenshein: Before they even start I'd like a motion to bring Ken and Helen on board.
 - MOTION:

- Bucky Louckes motions to include Helen and Ken. Irv Newmark seconds. All in favor.
- Mike Reilly: This is the end of where Edgewood Road kinda ends right here. 52 is out over here. Town and Country. You remember that project that you can see 52 is right here. The Town home station is out in front of that. What we're proposing here is a 66 unit duplex development. We have 31 single buildings and then 17 duplexes, and then a caretaker as well. It's on 30.56 acres. Included two pools, community building sports courts, and we patrol a water building. Right now we're planning to, next step is the drills some wells. We have low location maps in front of the Department of Health to determine if we have adequate water supply here and we're in the midst of the working on an agreement with the town pursuant to speak to you a little more. We've done a complete boundary survey of the property. We field topod it, accurate topo. Well wetland delineation, small wetland here. Gonna have, have a very small disturbance where at the corner of it, but overall it's a fairly sloping property. This just the high point. It slope down this, this way. It's not overly steep, but there's a decent grade to it. Yeah, I guess by code we could do up to 89 units, but we're only proposing 66.
- Arthur Rosenshein: Have any question?
- Helen Budrock: No. This is the first time that I'm seeing and I'm wondering if Mike, could you send me electronic plans?
- Mike Reilly: Sure.
- Arthur Rosenshein: Anybody else have anything? Alright, why don't you start the process. This is our first introduction to it. We haven't seen it before. We've engaged consultants on it. We're gonna get more information. Thank you.
- Joel Kohn: So I guess can we set up agency analysis for that project?
- Arthur Rosenshein: Before enough of that.
- Helen Budrock: Okay. I was gonna say maybe could we, could we workshop it first? Just make sure that we're, you know, comfortable with the concepts before we kind of put it out there for a public hearing.
- Joel Kohn: Yep.
- Paul Lucyk: Is it in the water and sewer district?
- Mike Reilly: It's in neither district, it's not in sewer.
- Arthur Rosenshein: They have to put in wells and their own system for disposal, which can be done.
- Helen Budrock: So it says, are you in the process of requesting both from the town board or no?
- Joel Kohn: The project's supposed to have their own wells and outside water treatment system. It's now in front of the Department of Health for approval. Once they approve it we will acquire permits from the Building Department. We

are in the process of having an agreement. We are in the process of having an agreement between the Town and developer to get sewer extension.

- Arthur Rosenshein: So you're gonna go for a workshop or something?
- Joel Kohn: Yep.
- Arthur Rosenshein: That's all we can do.

4. MOSDOS KLAUSENBURG – SBL: 21-1-30.2,23-8-1, 23-9-1 - Requests site plan review to demolish and replace building 23 and add a 5,000 sf recreation building. Zone: HR/REC, Acres: 21.36A Location: Firehouse rd and Budd rd.

- Joel Kohn and Mike Reilly
- Mike Reilly: So this is Mosdos Girls Camp. Not to be confused with the boys camp, which is the one further down firehouse Road and 52. This is essentially at the corner of Budd Road and Firehouse Road.
- Arthur Rosenshein: You're in Woodbourne.
- Mike Reilly: Yes. The proposal here is to take down one existing unit number 23 and replace it with a new unit. And then they would like to put a 50 by a 100 foot recreation building just for indoor recreation for when the weather's office, we have no bathrooms or any facilities in that. That's essentially it. This is in the water and sewer district. This property is bisected by the HR and the REC zoning. Actually on the latest edition added some calculations as to what the two areas are in the zone cause the code has a clause in it that addresses situations like. And in this particular situation, the REC zone covers or applies rather. I added that information in touch with can bring it all day long
- Arthur Rosenshein: You got how many units are on there now?
- Mike Reilly: Twenty five total units is what we have labeled on.
- Joel Kohn: A mix of camp and staffing. They're not adding any occupants to the site. They're just replacing one building, one existing camp house and adding the five thousand square feet.
- Arthur Rosenshein: This was a bungalow colony?
- Joel Kohn: Yes it was. It is currently a camp.
- Arthur Rosenshein: Molly, do you know any violation on this property?
- Mollie Messenger: Yeah, they have a failed camp inspection. So I actually have a copy, Joel, that I can give you of that inspection from last year. So we wanna make sure that we get, take all that taken care of. Are you combining all these lots together?
- Joel Kohn: I mean, we're not showing it as being combined, but if we needed. We can combine them.

- Mollie Messenger: Well, it's all one. And you have the buildings spanning between the two different property lines.
- Joel Kohn: Right. It's big deal. We can get combined. That would be a condition of approval. That's fine. Thank you.
- Arthur Rosenshein: I think we need Ken and Helen on board
 - MOTION:
 - Paul Lucyk motions to engage Ken and Helen. Irv Newmark seconds. All in favor.
- Joel Kohn: It's a small project.
- Arthur Rosenshein: Well, we would like to know what's there
- Gary Tavormina: And they gonna put all these properties together?
- Discussion
- Gary Tavormina: We shouldn't do anything before it is done.
- Arthur Rosenshein: It could be condition of approval.
- Mollie Messenger: Joel, it might make sense to meet up with Greg maybe, or make an appointment with him to go through that list or meet on site or something, but sometimes it's easier to walk through together.
- Joel Kohn: We will follow up with that. I guess it has to go to 239.
- Mike Reilly: I've got fully engineered that everything else, not for me to
- Mollie Messenger: Alright. If it's an incomplete application, you can always resend it again.
- Helen Budrock: A minor change. So you're, you want to refer it to the county and then do a public hearing?
- Joel Kohn: Yes. Okay.
- Mollie Messenger: I apologize. The April meeting needs to be moved. So before the agenda ends, we need to just talk about that. I forgot.
- Helen Budrock: Can I stop sharing?
- Joel Kohn: Thank you.

5. SHELDRAKE KARMEL RD PROPERTIESS LLC – SBL: 12-1-7/12-1-2.3 - Requests site plan review to construct a manufactured home park, as well as do a boundary line adjustment with the adjoining property. Zone: REC. Acres: 56.69A Location: Karmel Jacobs Rd and Labaugh Rd.

- Mike Reilly and Shlomo Katz represented.
- Arthur Rosenshein: Well, this is one owner?
- Mike Reilly: Sloan Patrick is the developer. I'll go over quick. Patrick Home Park. Jacobs Road. This is one of the tax lots. He also owns the adjacent. So part of

this proposing boundary line adjustment to grab this piece right here. It's done quite extensive work so far. We've had a full boundary survey done of all this by Tony, full topography survey, Jim Bates did the wetland flagging, they were all located by Tony. Mix of DC Wetlands on the site where we show the buffer. We're in the process of getting DEC to come out and verify those wetlands. We've scheduled a couple times, but cause of the up and down weather it was canceled. So that's in the works. So what it is total with the parent lot and the strip from the other one, it's 56.69 acres total. It's about 40 acres for the parent and about 17 acres for the area that we're adding. This plan shows 83 mobile homes single wide. Single wide. They're shown 30 feet apart. What we show, what we've shown for a footprint right now is 26 foot 8 inches by 68. That may change. The developers are still figuring out exactly where they can build. I've also shown decks on all of 'em as well. Again, we have two pools down in this area. Some playgrounds, a community building here with some parking in front of it. This one is not in the water or sewer district. I've shown some proposed well locations on the map. Some of those wells are here tonight. And my next step will be to complete well location map, go to the DOH so you can start exploring for water. But right now we dunno. We have adequate water.

- Arthur Rosenshein: Is this summer occupancy to be primarily summer occupancy? Yeah. Something station. Yeah.
- Mike Reilly: It is assumed to be primarily summer occupancy. We have a private sewer plan proposal where this box right here is at this point, cause you're not the sewer district, so this is essentially an introduction of the project. Let you know we're working on it. See if you have any input at all. The next step will be starting water wells
- Gary Tavormina: Are they on slabs or two story buildings?
- Mike Reilly: Not two story building. Most likely grade. Molly has reminded me of that must be the case, right?
- Arthur Rosenshein: Single ownership rentals for the season.
- Shlomo Katz: My goal is that it shouldn't be like the trailer park. I mean I've been in the development business quite a number of years and single challenge, but we only go higher, higher end things. And you know, generally what we do is we, you know, we try to have something with character. So you know, I've seen some of the manufactured home parks in, well, Thompson and what of a character you can try. And you know, I've seen some of them and, you know, I was asking Mike, why does everyone have to look exactly the same? And I know the answer, it's a lot easier to do it that way. And I'm gonna try, we're gonna try to have a couple of different elevations, little colors, and it makes it harder, you know,

giving people choice and you don't have to, but, you know what I'd like to have is somebody driving through there and saying, does this really manufacture home?

- Arthur Rosenshein: You've got 30 feet between them, 30. What's the law?
- Mike Reilly: Mobile homes are allowed down to 25. So we show some extra room. Probably the biggest footprint we do.
- Arthur Rosenshein: Parking will be?
- Mike Reilly: Parking will, will be probably in between the units. I'll add all that detail as we progress.
- Paul Lucyk: What about visitors?
- Mike Reilly: We have some parking over here by the shul. We have some parking by the pool. And if the board would like, I may be able to sprinkle some parking this corner.
- Paul Lucyk: Yes.
- Mike Reilly: Preliminary stages. I didn't draw all the parking.
- Gary Tavormina: Entrances front and back or? So in other words, you're going to have a ramp of some kind within that 25 foot mark.
- Shlomo Katz: No. So that's what happened. Mike originally had it at 25. I said, Mike, push at the 30 cause we're gonna have another three or three and half feet for the thing. Cause I wanna make sure that there's at least 25 feet between like 26, 27 from the end of the,
- Gary Tavormina: Between the two.
- Shlomo Katz: Yes, exactly. That's, that's where the five became 30 to make sure that we have enough.
- Gary Tavormina: Because what happens, you do five and you six, eight feet,
- Shlomo Katz: Then you're at 22. No, it's only gonna be on one side. So if you're only losing, you know, I mean say the entrance, you're only losing the feet on one side.
- Arthur Rosenshein: Anybody else? They bring you in yet.
- Helen Budrock: The first time I've seen it
 - Motion
 - Irv Newmark motions to engage Ken and Helen. Paul Lucyk seconds. All in favor.
- Arthur Rosenshein: Hellen, do you have any questions or comments?
- Helen Budrock: No, not, not right now.
- Arthur Rosenshein: We haven't gone through a trailer park in a long time. There isn't much in zoning or zoning book about it. There are state rules, aren't there?
- Helen Budrock: Yeah, I mean, I'll have to research it a little bit. It's 'it's kind like the townhouses, right? We weren't seeing a lot of townhouses and then we were, so we had to kind of tweak the code a little bit. So we're seeing more of these

manufactured housing developments. Then we'll have to look at the code, see if it needs to be adjusted,

- Paul Lucyk: But there'll be from the bottom of the unit to the ground will be sealed?
- Shlomo Katz: Yeah. I actually drove through a couple. One in Thompson that I happened to like. I couldn't tell if it was real brick or not. They did something, they did a facade there that made it look like, you know, you almost thought there was like a, a brick bottom, you know, when you went in you saw it was just like a little crawl space.
- Helen Budrock: Is that the one off Old Liberty Road?
- Shlomo Katz: Yeah.
- Helen Budrock: Yeah, definitely take a look at it.
- Shlomo Katz: Cause it definitely, you know, it, it hits you. You know, still all the same color, same elevation, of course. And like I said, manufactured home, it's a little different, a little difficult to, you know, create the, you know, but we're gonna try.
- Bucky Louckes: But that we want a good job.
- Helen Budrock: Mike, can you take some pictures or something and show the board. That's the quality, that picture.
- Paul Lucyk: Is there water on the property or no?
- Mike Reilly: No, no. We have our own water supply. We haven't gotten that far. Next is to drill water wells and start figuring all that stuff out.
- Paul Lucyk: Do you have some kind of plan? If there is a fire, I guess you gotta get involved with the local fire department to figure out. I just don't wanna see one going to the next, to the next if there is a fire.
- Shlomo Katz: Okay. We know we can meet the standards and, you know, various (inaudible). Had some unofficial thoughts with people from, you know, possibly, possibly getting the sewer extension. I know that's not one of the things that happens overnight. We are technically touching the sewer district, so, you know, it's something we're gonna explore. But, you know, we're, we're proposing it you know, as private and we'll see where it goes.
- Ken Elsworth: It seems like there's gonna be quite a bit of grading on this road coming down possibly for some of these units in an area. Just to watch with the property line there, sending, sending water down there, you might have to have some sort of swell or something behind it.
- Shlomo Katz: One thing that I try to do with the best our ability with the exception of the middle road, everyone's got kind of a private backyard. So they don't have that feeling where everyone's one on top of the other than these units there. Every single one of them has. That's important.

- Paul Lucyk: One other question, I do have is if something happens to like unit 75 and that has to be replaced. Do you have adequate roads to get another unit in and out, God forbid there's a problem or is there a back entrance where you can get in and out?
- Mike Reilly: We'll run the computer simulations to make sure we can get trailers in and out around everything without any obstructions. So the next step for us is to get the well location map saying, do due diligence with water. Make sure you've got water and then get to town engineer

OLD BUSINESS:

1. KJ ESTATES DUPLEX DEVELOPMENT – SBL# 12-1-64/17-1-2 – Continued review for a duplex development consisting of 52 units. Zone: REC. Acres: 22.8. Location: Karmel Jacobs Road, Loch Sheldrake. Cross Road: SR 52.

- Glenn Smith and Eli Brezel represented.
- Glenn Smith: Just wanna point out since the last meeting we did, we submitted the county 239, which the letter came back I think today on the 239. Also submitted to the 10 or 12 agencies to be lead agency on February 10th. The 30 day period for that is tomorrow. So I don't we got any comments from any agency that wanna be lead agency, but point that out.
- Arthur Rosenshein: Okay. There usually isn't much competition.
- Glenn Smith: No, unfortunately.
- Arthur Rosenshein: Helen, You wanna take it?
- Helen Budrock: Yeah, I just, I had a question really more for Dylan. I just wanna talk through this cuz this is not something that we deal with typically the whole, the zoning issue. And I guess I wasn't part of the discussions with the Town Board and I wasn't sure if you were, but I'm wondering how we kind of proceed with the site plan review with the, the zoning still being a question. Has there ever been a situation where the Planning Board can proceed on a sketch plan basis and then kick it back to the town board for a decision on the zoning? It almost seems like if we continue to review it with the zoning still being kind of up in the air, once, you know, Eli does all the engineering required to get to a conditional approval point, it's almost like the Planning Board might be viewed by the Town Board as saying that the Planning Board has forced it
- Arthur Rosenshein: Right. In other words, why should we go ahead if there's something I can answer.

- Eli Brezel: I agree that this is unique, but this was a decision from the Town Board. Obviously we have a new Town Board and the old Town Board, the system was all the way around that before he would first have to come to them to get these type of approvals and then move forward. However, this Town Board doesn't wanna approve anything if this might not develop anyway. Well, if it's not buildable, why do any moves if it's not. Dylan could, you know.
- Helen Budrock: Yeah. I'd like to just come up with the comment as well.
- Eli Brezel: But we also prefer to go first to the Town Board and know that those ducks are in order and then come with what we have. However, they basically gave us a verbal agreement that we will give it to you. They did their own internal poll, and they have the votes to approve this. However, they didn't want to go through an approval process if it's not going to get approved or it's not buildable according to the Planning Board's process. So it's unique.
- Helen Budrock: Yeah. It just seems like putting the cart before the horse and I just want Dylan's opinion cause again I wasn't privy to those conversations with the Town Board and I don't know if Dylan was, or if it was the town attorney that was kind of advising them on that.
- Arthur Rosenshein: Well, basically we being, we're being asked to do it on speculation.
- Helen Budrock: Well, you're being asked to go through a whole detailed site plan, review process, and issue conditional approval, and then kick it back to the town board for them to decide on the zoning. When we don't have the authority. It's not permitted, at least in this configuration, it's not permitted by the zoning.
- Arthur Rosenshein: We can't approve it until the zoning
- Helen Budrock: That's my question. And I, again, I'm not a lawyer
- Dylan Harris: Yeah, so I, that was primarily handled by Ben. We have had very brief discussions probably two months ago on it. And, you know I guess I'm just kind of reiterating what's already been said. You know, the plan was that, you know, the project gets introduced to the planning board. It starts moving forward in the process. Lead agency and SEQR is began here because the Town Board isn't gonna take lead agency. It's gonna be the planning board. So that was kind of the big piece where there's kind of the ability for someone to take lead agency and then start moving forward. But I mean, obviously there can't be any approvals until this board knows what the actual zoning is. So it's almost moving in parallel tracks as far as getting a sense of where it's going and what, I don't think that's a good procedure.
- Arthur Rosenshein: I don't think we should be reviewing a project that is not permitted at this time. The chicken and egg thing. But we've never done that before and I don't think we should start.

- Paul Lucyk: Can I ask Helen a question? Can you hear me? It's Paul Lucyk. Do you have the minutes from that meeting? What was discussed and what was transponded or whatever you wanna say.
- Dylan Haris: I don't, I can talk to Ben tomorrow and get more information on it. I was just going through my email and files and seeing if I had anything on it, and I honestly, at this point, and I don't, so I think it makes sense just for me to reach out to Ben tomorrow and have the conversation and get on the same page. And then I can update the board at that point.
- Helen Budrock: Cause my suggestion would be, you know, if again, it's chicken and an egg like you said. Usually it's preliminary site plan approval and then final site plan approval. If, in this case the town board wants to get a little bit of a pulse of the Planning Board before they decide on the zoning, you know, we can talk about very preliminary sketch plan approval to say
- Arthur Rosenshein: Let the Town Board ask us for granted if they want.
- Helen Budrock: Well that's where I was going is that normally before we would see it, the town board would do the zone change. You would have to have a public hearing and it would have to come to this board for a recommendation. So it just seems to me like it's a backward process. I'm trying to kind of split the baby a little bit to say, you know, if the overall concept seems like it's okay if the zoning were changed, they can go back to the Town Board. They can decide on the zoning and ask the Planning Board for a formal recommendation on whether or not they should rezone the ground.
- Bucky Louckes: This, this is what I'm seeing. The politicians are saying, okay, we don't wanna make this decision because when everything hits the fan, we can say, oh, we, we got to spoke with the Planning Board.
- Arthur Rosenshein: I don't wanna see that we approve this. We're not considering it on that basis. And I would also point out that as a procedure, we don't usually review a project before it goes to the ZBA. We don't do on spec. We're very careful about that. So I think this is the same basic principle. If they wanna ask us for advice, that's one thing. But then we do a formal process and decide whether we approve of it or not. But this way we we're implying approval but we're not giving it .
- Gary Tavormina: We can't do the Town Board's work. They gotta do their own work.
- Dylan Harris: I just found after a little bit of searching, I did find an email and what the plan was that just to comply with SEQR. We were gonna have the parallel track that's been discussed. So the Planning Board is gonna go through those requirements to conduct the SEQR review during site plan slash subdivision review, which everyone or if both need to occur, resulting in either a negative or

positive declaration. If there's a negative declaration and there's no significant adverse impacts then it would at that point go up to the Town Board to rely on the negative declaration when considering the zone change. So I mean, that's kind of the nuts and bolts of what they were looking for was beginning the SEQR process, assuming there's a negative declaration, and then using that to then do the zone change, which then in a month or two, once they have their approval, theoretically, then it comes back to the Planning Board in which to go through the full process.

- Helen Budrock: The problem is from that perspective is that in order to go through SEQR and get to the point of a negative declaration, you have to do a SWPP, you have to do traffic studies, you have to analyze the potential impact. So you're basically doing the whole review to get to that point on a project that's not even allowed under the zoning. So it just seems, it, it seems to be a backwards process and I'm trying to see if there's some other way that it could be done in stages or, you know, can the Town Board ask the Planning Board for a recommendation on the zoning.
- Arthur Rosenshein: I would like to get something directly from the town board address for us saying what they want. Not pick it out of some emails. If you want something, tell us what you want and we'll discuss it or do what we have to do. But at this point we are very nebulous. We don't have anything definite, we have rumors and innuendo. So I would suggest that the Town Board tell us what its desire is. If they want us to handle the SEQR based on the zoning change, and we'll consider it as by the zoning change without doing the underlying project. But they have to ask us.
- Helen Budrock: Alright. It sounds to me like the Planning Board should make a recommendation on the zone change before it goes.
- Arthur Rosenshein: Right. We have been, we have nothing formally asked to do that.
- Dylan Harris: All right. I'll give Ben a call either tomorrow or Monday just to fill 'em in and let 'em know that we're looking for just a request on what the town board wants and then we'll move forward from there.
- Arthur Rosenshein: If you would please
- Helen Budrock: And Glenn, I didn't get a chance to do a deep, deep dive on this, but a couple of questions just from what I saw. I know Eli had said before that, as of right, you said it's how many units?
- Glenn Smith: I don't remember the number. 35 or 40 in that range.
- Helen Budrock: No, but I mean, the maximum, you said 70 something, 50.
- Glenn Smith: It was also to HR that max, like 74 units based on three and half units per year we're at 52.

- Helen Budrock: So you're at 52 right now, and your lot coverage is 24.9%, the maximums 25. So realistically you wouldn't be able to get any more units unless you made small units, unless you know, smaller units or got or got a variance
- Eli Brezel: I mean, we did a lot of projects, thank God, and we never maximize. You'd rather have few units, but nicer and bigger units as opposed to more numbers as a
- Helen Budrock: So the lot coverage is one of the things that you are in on, cause if you can just check your table, I think in one place it says 24.2 and another place says 24.9 highlight.
- Glen Smith: Yeah.
- Helen Budrock: So you're right up against that, you know lot coverage calculation. And that is if correct, if that's with a waiver on the parking requirement you're assuming.
- Glenn Smith: Yeah, that was based on the parking I'm showing have a plan which is subject to the waiver of like 30 something units. Yes, you're right. Right.
- Helen Budrock: Okay. So you're asking the planning board to, to waive like 30 parking spaces?
- Glenn Smith: We've done this in the past, cause we have to, in addition to parking for the residents, we have to add parking for the community building. We've always made the point that the residents use the community building public. So, and the board usually finds it acceptable with waiving those.
- Helen Budrock: So since you're so close on that lot coverage requirement, I saw that the steep slopes that you deducted from, you know, the developable acreage was something like a third of an acre, whatever it was. I'm wondering if you could somehow delineate on the plans somehow where those slopes over 20% are just, it's just looking at the contours that I'm gonna say the right side. Cause I'm kind of spatially challenged. Maybe it's the north side. But the steep slopes are, are kind of off, you know, on that end there. And so just double check. Let me see kind of where those three slopes are. And the only other question that I had was, and I may have missed it, I did not see an open space calculation.
- Glenn Smith: You know, it was not my title sheet if I was not there yet, so I'll call it. Okay. Not there later honor.
- Helen Budrock: So add that to the zoning compliance and make sure that you are complying with the open space requirement.
- Eli Brezel: So that's, can I ask just one thing? Maybe. I have no problem. Going back to the, the town board prior to coming back here. Obviously that's what we preferred. Instead of investing time and effort of money in a process that we don't know where, where it's gonna end. Common sense was to do the other way. But

we tried and we tried and we tried and the Town Board didn't wanna do it that way. However, what I would ask is if Helen, if you could at least do a zoning review, should the zoning be approved, the rezoning be approved, would this meet that new zoning. So when we do come back to the Town Board, we're presenting them something that could materialize, not something that doesn't meet the zoning, but rather that what we present to the Town Board. We know it's a working plan as opposed to sometimes they have a plan that cannot be work. I know it doesn't work in the current and zoning, but with an assumption that we do get that approval that we are presenting at least the plan. I know Glenn is saying it works. I mean

- Helen Budrock: I didn't do a deep dive and I could do that, but what would be helpful is clarification on the open space.
- Arthur Rosenshein: Let's wait, let's wait for clarification from the Town Board and what they want before we jump into it. I understand your point, but I wanna get direction, what the town is asking and get a better procedure
- Eli Brezel: I would rather go back to the Town Board and say the Planning Board doesn't like this proposal and they'd rather the town would act first, and then we've come back knowing exactly what we have.
- Mollie Messenger: I think the Town Board would appreciate hearing Helen's response anyway. I think that you need to do that zoning that Helen's talking about to look at, think everybody needs to know if it works or doesn't work with the open space and with all the different
- Helen Budrock: Do you want me to include in that I can do the zoning analysis, assuming right, that the zoning has changed, does this layout and everything kind of that work within. I would need Glenn you know, to at least do that initial open space calculation so I can kind of take a look at it. But I guess my question for Arthur is in that memo or whatever, do you want me to make a recommendation on the zone change?
- Mollie Messenger: I wouldn't put a recommendation in.
- Helen Budrock: Okay.
- Mollie Messenger: Just do all facts

2. TIMBER RIDGE – SBL: 28-1-1 – Continued review of PUD development Project consisting of 325 single-family units plus community buildings and 80,000 SF of commercial space, review of draft scoping document for DEIS. Acres: 306. Location: NYS 42 & NYS 52.

- Jim Bates, Mike Reilly, and Stephen Barshov represented.

- Arthur Rosenshein: So at this point, we have examined the part one and part two is sufficient of the various parameters of the project, the review of possible environmental impacts of different parts of the project. We now have to decide whether in fact this is subject to further review which would be a positive declaration of environmental significance or whether it can slide by with where it is. So this is what we're doing right. We have asked Helen to make the part 3 which is where we make our decision. She will advise us whether it should be positive or negative dec, which the positive they're gonna do an environmental impact statement.
- Helen Budrock: So I'm just gonna bring up the draft part three. And Dylan, you can kind of chime in any, anytime if, if you'd like. But just for the public's benefit, the environmental assessment form that the applicant has to submit at the beginning of a process has three parts. So the part one of the EAF is completed by the applicant, and that's just basically the information on the project. Facts and figures, how many acres would be disturbed. Part two is an evaluation of the impacts in different categories, land, water, plants, animals, and whether or not the potential impact would be small or moderate to large. So in the part two of the EAF there were several areas that were likely to have a potential significant environmental impact. They include land because the project may involve construction on some steep slopes, construction in multiple phases and could increase erosion surface water. The proposed project could increase soil erosion and turbidity and would involve the creation of stormwater detention basins. Groundwater resources. The proposed project may create an increased demand for water in excess of local capacity. Plants and animals, and open space. The proposed project involves reduction of forest habitat in excess of 10 acres. Aesthetic resources, the proposed project may be visible from publicly accessible access points. Historic and archeological resources. The proposed site may contain archeologically sensitive resources. Jim, that was SHIPO determined, right, that there could be some archeological resources on the site. Transportation. The proposed project may increase traffic that could exceed the capacity of the existing road network. Energy. The proposed action may increase the demand for electricity and may require electrical system upgrades. Noise, odor and light. The proposed action may increase ambient light levels and may contribute light pollution. Consistency with community plans. The proposed action may induce secondary development in the area. And finally, consistency with community character, the proposed action may create an additional demand for community services and may change the character of the existing natural landscape. So those are all the areas where this particular project may have a

moderate to large impact on the environment. And so at this point we're recommending

- Arthur Rosenshein: Let me just point out to the people listening that this is a development in Woodburn with 325 units plus 80,000 square of commercial space. So it's fairly large by our standard.
- Helen Budrock: Yes, we're recommending that this be a positive declaration, which means the applicant has to prepare an environmental impact statement, which they're fully prepared to do. They've been anticipating this. This project has been around since at least 2016. The public should be aware that there is a settlement agreement. There is basically a lawsuit between the developer and the town around the time that the development moratorium was issued. And they came to an agreement that sets the number of units at 325 and sets the commercial at no less than 60,000, I believe it is. In this case, you're proposing 80,000. So the Board still has to go through SEQR. But it's, it's basically, it's been negotiated that that is the allowable density. It will be done through what's called a planned unit development or planned development district or PUD, which means the Planning Board and the Town Board work jointly on basically customized zoning that is specific to this particular development. So even though this has been around a while, this is the very beginning of what will be a long review process with lots of documentation. So at this point, in order for the applicant to be able to start working on that environmental impact statement the board needs to issue a positive declaration under SEQR.
- Arthur Rosenshein: Clearly the information has been sent around to other agencies. We've verified that
- Helen Budrock: Yep. Lead agency was done back in 2016 when the project was first proposed. The applicant basically resent out notices to those involved agencies reaffirming that status so that they've been basically put on notice that the project is back on the front burner.
- Arthur Rosenshein: Okay. So we're ready to come to a decision as to whether, whether it needs to have an environmental impact state or not, or positive dec. Go ahead. You're recommending?
- Helen Budrock: I am recommending a positive declaration. Yes.
- Arthur Rosenshein: Anybody on the board have any comments at this point or a motion? Motion of positive declaration of environmental significance.
 - MOTION:
 - Bucky Louckes motions for positive declaration. Irv Newmark seconds. All in favor.
- Arthur Rsoenshein: That formality is taken care of.
- Mollie Messenger: Is there a formal deck letter?

- Helen Budrock: Yeah, it's part three. Arthur will need to sign and, and date for the record.
- Arthur Rosenshein: You got this today?
- Helen Budrock: Yep. Oh, I'll resend it out. But yeah, you just have to sign it and make sure that it's part of the part of the record.
- Mollie Messenger: I just wanna make sure I get it.
- Arthur Rosenshein: Okay. So board and others. At this point we come up with something called the scoping document, and that is to say how much will we want, what information will we want in order to do that environmental review. We've been given a draft actually we were given to the last meeting, I think. But the clock begins now with a positive deck. We have 60 days in order to come to a conclusion as to what should be in the environmental impact statement. That starts today. Helen, did you figure about when that is?
- Helen Budrock: It looks like it's around May 8th is the 60 days. So what we had talked about is, cause we only have one meeting right in between. Is it okay if I just kind of go through the process? So just from a timing perspective, we only have one meeting in between, you know, now and when the clock expires. And with Passover and Easter and everything else, we have to kind of talk about rescheduling that meeting. So seeker requires public scoping. So we have to get public input on the scoping document, which is essentially an outline or a table of contents. It doesn't require a formal public hearing, it doesn't specify that you have to have a public hearing. So what we are going to propose is that the Planning Board have a work session with staff to review the scoping document. All of the documents will be put on the building department website and we'll do a public notice to let people know that they can obtain that information. And we'll accept written comments on that scoping document through the end of March. And that will give us some time to get some public input to do a workshop and then sort of meet that, you know, meet that deadline for. For the 60 days. That's what we were proposing. Does that make sense to everybody?
- Jim Bates: I think the new SEQR regs changed it, that you have to have a formal public hearing. I just went through this
- Arthur Rosenshein: Dylan?
- Helen Budrock: I thought we had
- Dylan Harris: I pulled them up and I didn't see that language, but I can double check.
- Arthur Rosenshein: He did some research on it. His research indicated that we could do it other than a public hearing.
- Jim Bates: I'm fine
- Arthur Rosenshein: Dylan. I would like you to chime in on one way or the other

- Helen Budrock: I can read from the SEQR statute. This is 6-17.8. Scoping must include an opportunity for public participation. The lead agency may either provide a period of time for the public to review and provide written comments on a draft. Or provide for public input through the use of meetings, exchanges of written material or other meetings. So that's what we kind of went off of. I mean, you know, it was just, it was more scheduling than anything else
- Jim Bates: It's fine with me either way. I just don't want this to get back on anybody.
- Helen Budrock: I mean, unless you are willing, and I don't know if that's legal. If you, if you can, waive the six, you know, agree that give us a little bit more time so that we can figure out
- Jim Bates: I kinda like to not waive the 60 days at this time. I mean, especially since we're just starting it
- Arthur Rosenshein: So we'll go with what we have unless we've learned something new.
- Dylan Harris: I'm pulling this up on Westlaw right now just to get the most up to date version of it. Normally I just pull it up through the DEC website, which is the language that Helen and I both were referring to. Just bear with me and I'll have an answer in a couple minutes if there's any changes.
- Stephen Barshov: Okay. Yeah. And Dylan, I just looked at the website and it speaks to the public having an opportunity to review the scoping document. They recommend at least the draft scope. They recommend at least 20 days for the public to review, but they don't, at least on the website, specifically state that there has to be a public hearing for official public comment. At least that's the way the website.
- Dylan Harris: Okay. Yeah, and that was my understanding as well from what I had read
- Helen Budrock: The scoping is not the only opportunity for public comment once the, it's essentially just a table of contents. And then once the actual draft document is compiled, then there are formal public hearings on that document. So I mean, we felt that just having it posted, noticing it in the newspaper, letting people know that it's there and that the Planning Board would be accepting written comments
- Jim Bates: Posted to the DMV that you're accepting comments?
- Helen Budrock: Yep. Absolutely. I think that covers, okay.
- Dylan Harris: So the most recent WestLaw updated and amended as of March 8th, 2023 so yesterday says, scoping must include an opportunity for public participation. The lead agency may either provide a period of time for the public to review and provide written comments on a draft scope or provide for public

input through the use of meetings, exchanges of written material, or other means. So I don't see any changes, so I think we're good to go with putting it on the website.

- Helen Budrock: Okay. So just from a scheduling perspective, right. Our next planning board meeting would've been on the 13th, right? Which is in the middle of Passover, I believe.
- Mollie Messenger: So we're trying to shift everything to the 20th.
- Helen Budrock: So we're gonna shift everything to the 20th.
- Mollie Messenger: If we have a quote
- Helen Budrock: So ideally from a timing perspective, we would have to send the scope to all the interested agencies, which we'll do, we'll post it in the ENB, the environmental notice bulletin. Put a public notice in the newspaper, make sure that it's on the website and accessible and make sure in the public notice it clearly says where they can access that information. And then we'll accept written comments through, what do you think Arthur? Like April 6th, you know, give them like a month.
- Arthur Rosenshein: I think that assuming it fits into law. Sure.
- Helen Budrock: Okay. Cause what I'm saying is that if we do that, then we can hopefully it's off to the scoping document at the April 20th meeting, which will be, you know, within that 60 day window. Does that, does that seem to make sense?
- Mollie Messenger: I don't think you're giving enough time with the holiday there. Give it until May 8th. Right.
- Helen Budrock: But we won't have another meeting until May 11th.
- Arthur Rosenshein: Well, what about the, sort of delegating it to staff and several plain board members do it on that level?
- Helen Budrock: Well, I think we'll have a workshop regardless, but the scoping document is the lead agency's document. So you have to formally adopt it at a meeting.
- Arthur Rosenshein: So we only have one meeting.
- Mollie Messenger: I don't think you're giving enough time to mail out that scoping to the other agencies because if you get it out next week, they're gonna get it the end or the following week. You're only giving them like one week to reply
- Arthur Rosenshein: Dylan, can the Planning Board delegate to a staff level plus members to do that final acceptance of the scoping document or does it have to be at a regular meeting?
- Dylan Harris: My understanding is it has to be at a regular meeting. You'd have to have the full board present or at least a quorum present in order to move on it.
- Jim Bates: I think to make the board's life easier, we can extend it to the few days so we can be adopted into May meeting.

- Stephen Barshov: Ok. I agree, Jim. I think that's exactly what makes sense. It's only a couple of days.
- Helen Budrock: Okay, good. So that, that'll give us a little bit more time. We'll shoot for that May 11th planning
- Jim Bates: That allows for discussion at the 20th meeting.
- Arthur Rosenshein: Okay. What I'd like to do at this point, we're almost done with your draft, but right now we've circulated already. We've had it, the planning board members and staff have had this document for months. I just wanna start, it doesn't close before we close it. Cause at our next meeting we can certainly bring input, but does anybody have anything they want to add? To the draft at this point. Any questions? I have a few comments.
- Helen Budrock: You go ahead, Mr. Chairman and then I'll chime in after you.
- Arthur Rosenshein: Okay. There's some, I wanna discuss possible additions to it. Under existing conditions, do you have a number of road intersections? I'd like to add Murphy Road and Brickman Murphy Road and Route 52. The reason is that traffic backed up on Route 42. The quickest way around is gonna be up to Murphy Road and coming across.
- Jim Bates: So Murphy Road and which? Murphy Road and what intersection.
- Arthur Rosenshein: Intersection of Brickman and Route 52.
- Jim Bates: Yes. The the intersection we've got from trafficking assault.
- Arthur Rosenshein: Yeah. So just be aware that particular one. Okay. Under existing conditions. Well, it's, I dunno if this is this or not. I was hoping to get early in the process some comments from DOT as to the Route 42 entrance. As you know, that's been trouble cause of the road there. First of all, traffic can back up from the light, in Woodbourne all the way towards Old Falls past where your potential entrances. We might wanna be discussing a third lane. There's many things we need to discuss. I'd like to have included in this input if we can get it. Obviously you can't force them from the DOT without the Route 42 entrance. That one's gonna be critical. Not to preclude potential pedestrian movement for traffic. So we study that early. I don't know if the next one is kosher or not. Can the Planning Board know what agreements there are between Westborn and Timber Ridge? As to what Timber Ridge can do through the Westborn was allowed. That's two. There are two entities owned by the same people. Is there a formal agreement of a right of way? The pedestrian right of way between Westborn and Timber Ridge? So we know what's possible. Whether it is possible, I dunno.
- Discussion
- Arthur Rosenshein: Okay. Next the potential impact, traffic generation due to commercial. Let's say your stores are success. I didn't see anywhere in there.

What, what we had talked about was Friday night, everybody arrived and so on. I think we need to include what happens when you add commercial traffic because that could be substantial. Maybe you get lucky, it'll work, but it adds to what you have. Under forecast scenarios. You had three, depending on what time of week it was and so on. I was wondering about having forecast the scenario in which the Westborn entrance becomes the middle entrance and is a distinct possibility. And what would then happen? Either the main entrance or a major or major entrance. That would be included under traffic analysis also.

- Paul Lucy: Commercial trucks going in.
- Arthur Rosenshein: Oh, well that has to be considered. That hadn't been approached in this document. Finally, and again, I don't know where to go with this. Order is a problem in the town. I think it would be interesting to know there were three test wells drilled on that property in the ridge. We have no report on that. It would be interesting to know what the test flow results were. Cause if they're good enough, we might require them further down to be an offer to the town.
- Jim Bates: I'll see what I can do to obtain that.
- Arthur Rosenshein: Yes, it's been a steep sequence.
- Jim Bates: Truthfully, Arthur, I do not have them. I have never had them. Mr. Wasson had them, I don't know what made the move and what didn't with his retirement and moving out of his office in Wurtsboro.
- Arthur Rosenshein: So he uncharacteristically closed. So I've been curious since 2016.
- Jim Bates: I don't, it was in the file that he gave you.
- Helen budrock: So I maybe have a hydrologist or just have that
- Arthur Rosenshein: Yeah, well just begin with and then we'll go, if it turns out that there is significant water, there'll go from there and that list, that ends my list of the moment further members.
- Helen Budrock: Yeah, I asked Mary Beth to take a look at the scope, particularly the water and sewer section cause I know that's a concern with the capacity of the outfall for plans and just from a timing perspective, right. When that upgrade will be completed. And I think you've already had some initial conversations about some things that might help with seasonal spikes and flow. So that may be added to the scoping document to specifically kind of address those issues.
- Jim Bates: I believe we sent you the document in Word cause there's, I'm assuming there's a Red Line addition gonna be turning out as it's on.
- Helen Budrock: Yep, absolutely. So yes, we have it as a Word document and I started making some comments and notes in there. The only other thing that I saw was the treatment of alternatives. And I think you had a no no impact alter

no action, right. Which is required. And then it was an as of right alternative. And I'm wondering if you can just explain kind of what you mean by that. Is that as of right, with the old zoning, with the new zoning? Like what, what would that analysis entail

- Jim Bates: I think it was, it was to do pretty much whatever the new zoning is and do single family lots, which nobody wants to see, for some reason.
- Helen Budrock: So so you'd apply the existing zoning and say, okay,
- Jim Bates: We'll have 325 lots and then commercial.
- Helen Budrock: Well, if you apply the existing zoning, then you would have to do it in a way that, right, you were saying with the 325, you would still have the same density and the same commercial. So did somebody suggest doing it that way or?
- Jim Bates: No, that was just, that was, I'm going back and, and that was prior, prior to the moratorium. And the rezoning of it, which created the debacle. There was an as of right plan done when, if you had public, public was you had it in public water, public sewer. And that was even if have your own system, I think it was three or four per acre. And I'd have to try to go back to all my notes. And that was what it was derived at.
- Arthur Rosenshein: And then the commercial wouldn't have been allowed.
- Jim Bates: Right. The question wasn't allowed. But it was like 500 and some units, which is what helped push the moratorium
- Helen Budrock: So I'm wondering if it wouldn't be more helpful, and this is something that the board can discuss, you know, cause usually alternatives are supposed to be real right. Maybe with the same units and the same commercial, but like an alternate layout or alternate circulation. I just don't know what would be a reasonable
- Jim Bates: We could do an alternate layout. Cause there's been a thought of, instead of using this layout, creating more of the traditional summary unit type layout. So we could do another, a different layout. They could probably keep the commercial where it is because it was always supposed to be kind of a standalone scenario
- Arthur Rosenshein: Have to move it back the existing units in the next hose. We're gonna, I as well let you know, we're gonna ask for a buffer for those people, but same, same location.
- Jim Bates: We'll come up with an alternative.
- Gary Tavormina: I have a question. The sewer system has to be upgraded. The water has to be upgraded. Who's gonna pay the bill?
- Mollie Messenger: Oh, the taxpayers pay the bill. Consolidated district.

- Gary Tavormina: No. Who's gonna pay the bill is gonna pay the bill or me as a taxpayer going to have to foot that bill?!. There'd be a hell of problem.
- Helen Budrock: Are you on public sewer?
- Gary Tavormina: Yes, I am. Okay. Public sewer, public water. I, as a consumer of our products, should not have to pay for a developer to expand the sewer plant and find more water.
- Arthur Rosenshein: Is there anything in our authority about that? We have nothing to say about that, do we?
- Helen Budrock: No, I mean
- Arthur Rosenshein: it can be noted.
- Helen Budrock: Yeah. I mean, it's difficult cause this property isn't in the sewer district. Right. But that was part of the settlement agreement is that it would be, that it would be brought in.
- Jim Bates: It was part, yeah, part of this, the agreement was it would be brought into the sewer and water district.
- Helen Budrock: And were their fees paid? I'm trying to remember when
- Jim Bates: No, no fees paid this time and, but we would have to cook up that in district fee in district three years. Right.
- Audience: Doesn't the developer, pay a lot of money for each unit? In other words, it used to be called impact fees, which not legal, but there's another neighborhood. The developer does pay a significant amount of money per unit to the town. For these
- Gary Tavormina: I wanna know who's gonna pay for the upgrade. That's all I'm asking you. I shouldn't have to pay for the upgrade. The people in the residence that, that have been hit for 30 years shouldn't have to pay for the upgrade.
- Arthur Rosenshein: We noted, but we can't, we have no authority to say no s different board. Do you have a second thing, Gary?
- Gary Tavormina: That's it.
- Arthur Rosenshein: I mean, I don't disagree with you. I don't know what we can do about it anyway.
- Gary Tavormina: It should be noted in, in a scoping document that somebody other than the residents should pay the bill.
- Arthur Rosenshein: I don't think that goes into scoping.
- Gary Tavormina: No. Why not? Huh? Why not?
- Arthur Rosenshein: It's not an environmental issue
- Dylan Harris: I think it's outside the scope of the scoping for sure.
- Gary Tavormina: Okay.
- Arthur Rosenshein: Have we concluded?
- Helen Budrock: That's, that's all I have preliminarily

- Paul Lucyk: Question number one, the quality of the roads. Does that have anything to do with the scope?
- Jim Bates: The what?
- Paul Lucyk: The quality of the roads, the road spec. If you got a commercial road coming.
- Arthur Rosenshein: The interior part of the project, or you talking about State Highway
- Paul Lucyk: From the state highway going into
- Mollie Messenger: I had talked to Paul about how there's a spec for developments and then there's town spec and state spec. There's different specs for the roads. So what Paul's asking is if the spec needs to be upgraded because of the amount of traffic for this
- Paul Lucyk: You're gonna have tractor trailers going in now.
- Discussion
- Paul Lucyk: Well, I guess everything else is just without saying the plans and design criteria, that doesn't have nothing to do with
- Arthur Rosenshein: We have a month. Well the public can input, we can input more too. We have the next meeting to do it
- Helen Budrock: There's a section on community character. Right. And, and aesthetics. So is that what you're saying you'd like to see you know, sort of renderings or something in the EISs to show what these units will look like? Is that where you're going? Cause I know that's
- Paul Lucyk: Well that's part of it. To see what, what we're, are we getting three story homes? Are we getting two story homes? What?
- Jim Bates: Well that, yeah, all that has to be into it with the unit account, all that stuff will be part of the EIS. That's all under all this. You're gonna be getting a three and a half inch binder. All stuff to read.
- Paul Lucyk: Well, that's more or less, I got a lot of questions, but this isn't the question.
- Jim Bates: All we're doing is table of contents to start getting to your right, to that stuff. And then Mike has to go through and then start the full engineering, which would include road specs and all that other fun stuff. That's three things that's gonna be happening. One, we'll be working on the environmental impact statement. Mike will also be working on the site plan and the engineering and working with the board during, you know, during that time. And, and Ken Ellsworth group, you know, Keystone and, and they'll be going through in the engineering. And we'll be dealing with the town board because once this is all done, they have to do the PUD.

- Paul Lucyk: I have one other question cause I went through with this. Okay. It says when clearing, you're not gonna clear it. According to the paper, maximum area to be worked at one time is five acres.
- Ken Elsworth: That's not what's clear land disturbance. So you that you can cut a tree and not remove the stump, that's not considered disturbance
- Paul Lucyk: But you clear 120 acres that one shot.
- Bucky Louckes: Well, but there's roads, a lot of trees left.
- Paul Lucyk: Well, that's what I'm trying to figure, especially with slopes and there's steep areas
- Jim Bates: That's all part of the phasing plan, which is part of the engineering.
- Arthur Rosenshein: We will have input as to how the phases go and what can be done at any given time.
- Helen Budrock: And that five acres is driven by the ding.
- Ken Elsworth: There is a waiver up to 10 acres, but that has to be applied for
- Jim Bates: About 25. You're doing something that requires that much cut and fill. It becomes extremely painful and we couldn't do it here if we wanted to
- Arthur Rosenshein: But we can make the condition of approvals, certain things can be done as far as clear cutting, et cetera, et cetera. So we'll get our input there. Alright gentlemen, we're gonna get this, this huge document. I'm gonna give reading assignments and we're gonna have a test at the end, and you've looked at it. Anyway, I think we're done with them for tonight.
- Stephen Barshov: Well just one question, Mr. Chair. Are we setting a date for the work session or is that work? Is your work session already scheduled?
- Arthur Rosenshein: Molly, will set that up.
- Mollie Messenger: I mean, are you looking for work session in April after maybe you get the comments from outside agencies or are you looking for one before?
- Arthur Rosenshein: After we get comments before we vote on it?
- Mollie Messenger: Cause right now you have all of April open
- Helen Budrock: Yeah, we have a little bit more time.
- Mollie Messenger: We normally do them on Thursday, it could be April 20th. So tentatively April 20th.
- Stephen Barshov: And then we'll have our regular meeting on the 11th of May.
- Mollie Messenger: Well you'll also have the Planning Board meeting on the 20th
- Helen Budrock: One quick question. Technically the agency is supposed to circulate the scoping document. Is that something that your office can help with?
- Mollie Messenger: Yeah, whatever is, do you have a list of addresses?
- Helen Budrock: Yep. Okay.
- Mollie Messenger: Would you mind emailing us again so I can just get it?

- Helen Budrock: Yep. I can post it in If your office can handle the actual physical mailing that there's not that many of those, like five or six?
- Mollie Messenger: Yeah, if you wouldn't mind

3. MEP WHOLESALERS – SBL# 60-1-21.1 – Requests site plan review to build a 15,000 square foot building for wholesale retail and storage of mechanical, electrical and plumbing supply. Zone: I. Acres: 7.03. Location: 30 LaVista Dr., South Fallsburg.

- Joel Kohn represented.
- Joel Kohn: We relocated the filming of the original location. This shouldn't be leading with traffic. There's a simulation showing how the tractor trailers will turn around in the site so they won't back out on the road. So we don't see any traffic. Obviously the owner will want to minimize any traffic and you won't have any scheduled on Friday afternoon or Sunday on the visiting day. They'll try to have it scheduled. I don't have a computer rendering yet. I have a concept
- Gary Tavormina: I don't want a concept. I want to know what the building will look like. Something we can hold before, you know where I'm coming from? We have a building in Woodburne that is supposed to look a hell of a lot different than what it looks like right now.
- Mollie Messenger: Well, actually they're working on it.
- Arthur Rosenshein: That's been remedied. They're going to change it.
- Mollie Messenger: So Joel, when you get the actual design, can you send it to me so I can the consultant.
- Helen Budrock: That's the direction you're going.
- Joel Kohn: So I guess this has gotta go back to the county.
- Mollie Messenger: Yes. I just had a couple things I still didn't see on the plan. Because of the nature of the business that you're doing there, you're gonna have outside storage and garbage removal and all kinds of things. Pallet storage. Where's all that going to go there?
- Joel Kohn: There is not gonna be any outside storage. There will be pallets which we're still working that out. We have a dumpster location shown in here. We're thinking about having a pallet right next to that area.
- Mollie Messenger: It has been my experience that every commercial entity of any kind has that outdoor storage. So you might not wanna limit yourself on that.
- Joel Kohn: Or we can put a commissioner if they storage can come back to you.
- Mollie Messenger: You might wanna look into that. Then the pallet storage and all of that is a big deal on that type of building also. The turn up La Vista with tractor trailer, we're still sure that that happened.
- Bucky Louckes: Happens every day.

- Mollie Messenger: I dunno that it happens every day.
- Arthur Rosenshein: You mean the intersection of 42.
- Mollie Messenger: Yeah. Where every tractor trailer against going the other way? It's just a tricky intersection there. Just make sure that you don't get hung up.
- Mollie Messenger: Your turn is tricky so just pay attention. That's all.
- Helen Budrock: I missed the January meeting when this was first introduced, so I didn't see anything in the notes if you wanted to engage us in or not, not that I need extra work. I just wanted to double check. Personally, I think it's more of a technical review than it is zoning the technical review.
- Ken Elsworth: I don't recall us being engaged. I don't think anyone has.
 - MOTION:
 - Bucky Louckes motions to engage Keystone. Paul Lucyk seconds. All in favor.
- Mollie Messenger: Does this need to go to the fire department?
- Bucky Louckes: It can.
- Discussion
- Ken Elsworth: Firehouses in most places have been requiring access around the entire building, at least for fire. Maybe not pedestrian consumer use, but at least an access.
- Paul Lucyk: Is it a full sprinkler building.
- Joel Kohn: Probably not. I don't think it'll be 12000down square feet.
- Arthur Rosenshein: Think carefully about whether you wanna include outside storage. I know you're saying not, but you're not spend a lot of money putting plastic pipes under. Very expensive use of space
- Joel Kohn: Like Molly said. You know, we'll definitely look into it and come back. If there, is there any plan to do storage?
- Arthur Rosenshein: It will be part of our approval or not. Right. Anything else?
- Mollie Messenger: Did you want to respond in writing to the public hearing in comments or?
- Arthur Rosenshein: Yes. We've been doing that. Standard procedure. Have we accepted lead agency status?
- Joel Kohn: Yes.
- Paul Lucyk: Joel, can I ask you a question? Is there sections in this building where there are a second floor for officers and cleric?
- Joel Kohn: We are still exploring that action. We don't know whether it will be maybe four second officers possibly.
- Paul Lucyk: That's one of the things about depending what you got in there, if you need a sprinkler (inaudible). So I guess probably know what structure of the building is, and the interior.

- Arthur Rosenshein: Anyone else?

4. ORCHARDS – SBL# 12-1-11.1/11.6 – Continued review of site plan amendment to add 21 additional units to phase 2 and to delete the four proposed recreation courts and a lot consolidation. Zone: AG. Acres: 65.04. Location: 189 Labaugh Rd., Loch Sheldrake. Cross road: White House Road.

- Joel Kohn and Mike Reilly represented.
- Mike Reilly: That's the only real significant layout change. Other than that I've got the utilities and stuff figured out. I've got the grading for the most part figured out. Explain to you quick what we're gonna be doing, but essentially this is gonna have its own manhole and, and main down to what it exists right here. Actually the water comes down, so we're just gonna tie into the water. Here are these ones. There's already utilities in the street. That would be the easiest spot. Over here the sewer is in the middle as well as the water. I can get these units over to that sewer via gravity. But these lower seven plus this replacement from the one out front, I have to have a small pump station right here off the entrance to handle those eight B units. So pump up to over here. I'm progressing. I'm not finished yet. A hundred percent with the drawings by any means. The hatch areas out front are retention areas that we have to design. We're gonna have to amend the SWPP that was done for the original project. We include area from all these new homes.
- Ken Elsworth: This house is still gonna be used as the caretaker, the one that's out front there. Is that what it's used for?
- Mike Reilly: Yeah, the one that we, yeah.
- Ken Elsworth: Is that one before tying into the, is that gonna tie into the sewer?
- Mike Reilly: That's already into the sewer I believe. It might have septic.
- Ken Elsworth: I thought it had a septic and well originally and at this point if there's gonna be sewer there it should tie in. It was all started before I started doing inspections there, so I don't know if that's what the plan was for that house.
- Paul Lucyk: Oh, is that 105?
- Mike Reilly: Yes. Yeah. Part original.
- Arthur Rosenshein: How many new units did we end up with?
- Mike Reilly: There's 22 new units, but one of 'em is a replacement of that existing one
- Arthur Rosenshein: There were a bunch of conditions the ZBA put on it.
- Helen Budrock: Yeah, I was gonna say, can somebody just kinda give a little overview of what the ZBA decided?

- Dylan Harris: Yeah, I can go over that real quick. So the ZBA did grant a use variance at the last meeting in February which is gonna result in the ability to build up to 22 manufactured homes on the 66.91 acres that's gonna be phase two of Orchards. The conditions were that the applicant must pre-sell only the number of manufactured home units needed to cover the outstanding debt. The applicant must sell internal interior manufactured home units before selling manufactured home units that are near, or abutting LaBaugh road. The applicant must plant evergreen trees, insufficient quantity to block the homes from the road again, Labaugh Road which is the one right up in the upper left corner. And the applicant must remove the preexisting home, which is I believe, 105 near Labaugh Road as shown in the northwest corner of the reference site plan, and it is marked 105.
- Arthur Rosenshein: Thank you. You did a wave with recreation. You're giving us anything back?
- Ivan: I have. I do, there's gonna be wonderful playgrounds. I have copies of playgrounds on the property and the playground set that will be purchased. I have a diagram of the playgrounds and equipment.
- Arthur Rosenshein: And you have an extra copy to give to Mollie and to get into the minutes.
- Ivan: There might be some other facilities. Playgrounds are gonna be a great area for the kids. They're all internal. They're not any roads. The people who are buying into the community don't need courts, and that's not what they're looking for. They're looking for a nice place to live, a nice shul, and a place for the kids. And that's the most important thing. A number of units have been sold already. The purchasers signed a waiver in which they understood that the development might have more units and some of the parking areas might be fewer and that some of the recreation might be eliminated.
- Ken Elsworth: This kind of cuts off. There's a fill area up top. Is that where there's proposed pool or something on the A loop? I think this is here and then this area here is a big area. Right. Cause this shows your plan for something. I just wondered. It's a good area though it's not a good area for a play area. If nothing else it will settle for 20 years, but I thought there was something proposed at some point. And then I see this here, so I'm not sure.
- Mike Reilly: I think he's talking about like this
- Discussion
- Joel Kohn: Got any pictures or do they have pictures?
- Helen Budrock: Mike, have you recalculated the lot coverage?
- Mike Reilly: Yeah, I think it's all covered.
- Helen budrock: Cause the copy you just gave me still has a x.

- Mike Reilly: Oh yeah. We'll recalculate that.
- Helen Budrock: Okay. I was gonna say cause your code is supposed to be existing. You'll include the calculations here.
- Mike Reilly: Yep.
- Arthur Rosenshein: Anything more we can do tonight?
- Ken Elsworth: I think last week there was a meeting on site with Tim about the SWPP
- Mike Reilly: We've got rain gardens all up there. Those are all done okay with them. But they just need to be planted once the weather clears.
- Helen Budrock: Are you gonna be giving the residents some, some kind of educational material about the rain gardens and cuz they may not understand. They may just like, oh, it's just pretty flowers. They may not understand, you know, that it's serving a function.
- Ken Elsworth: Yeah. Make sure they don't make a patio there.
- Helen Budrock: Yeah, exactly. Or rip it up. And I don't like the flowers, you know, I mean, yeah.
- Mike Reilly: Yeah. It's part of the offering or whatever.
- Arthur Rosenshein: Now will this be ready for approval next meeting you think?
- Mollie Messenger: No.
- Ken Elsworth: No. I mean, I don't know how long it's gonna take you to SWPP provisions and we haven't got any review of the sep the septic or, yeah. Swift's not changes.
- Mike Reilly: Not gonna be finished
- Discussion
- Helen Budrock: You'll prepare a subdivision plan that shows like the lot lines.
- Mike Reilly: Yeah, I have that already for all the rest.
- Arthur Rosehshein: Can we do that simultaneously. The site plan, subdivision plan.
- Helen Budrock: Yeah.
- Arthur Rosenshein: Can we do it later?
- Helen Budrock:No,
- Ken Elsworth: I think it has plan have to be filed first or no.
- Joel Kohn: I mean, does subdivision map, you know, might change somewhat.
- Ken Elsworth: Typically on this you really can't finalize, right?
- Mike Reilly: Yeah. When we, this is kinda unique situation. I call it condo vision. The map we're providing for approval to DOH are all based on as built locations.
- Ken Elsworth: I was gonna say, they're all unit subdivisions.
- Mollie Messenger: You haven't even shown that to the board though.

- Joel Kohn: Can we separate into the approvals. Get the site plan approval and then we'll get the subdivision approval?
- Mollie Messenger: Well, you gotta at least bring it. Hopefully you'll be able to review the utilities and review the sub version at some point the board has to at least see it.
- Joel Kohn: Yeah, we have, that's fine.
- Helen Budrock: Treat it as like a sketch plan or a preliminary, you know, it'll be subject to change, but at least we'll see the configuration
- Mollie Messenger: Why are you in such a hurry to get approval? It's been 20 years.
- Joel Kohn: They just came in, into this project like two, three years ago and started moving.
- Mollie Messenger: Did you send it to the fire department? You should let the fire department know.
- Helen Budrock: How does the ZBA's condition on only building as many units as needed. How does that get enforced? Is it basically, you're saying up to 22, but only to the point where you're at a breakeven point? Is that kind of how I understood the condition?
- Joel Kohn: That is kind of the condition. But even at 27, we will probably not break.
- Helen Budrock: Somehow it has to be demonstrated.
- Discussion.
- Joel Kohn: Need to go to the county?
- Arthur Rosenshein: Inevitably
- Mollie Messenger: We are going to get all the information and then at the next meeting you can ask for resolution.

5. 5.CAMP KRULA – SBL# 39-1-86.1 –Discussion regarding the progress made on this project. Proposed duplex development plan to replace units that were burned in fire as well as additional replacement of other units, addition to dining hall, addition to classroom building, and proposed pools. Zone: AG. Acres: 16.08. Location: 5405 SR 42, South Fallsburg

- Mike Reilly and Joel Kohn represented.
- Mike Reilly: Since the last meeting, we spent a bunch of time on engineering and your plans and all that type of stuff. I met with New York State DEP on these entrances and both of those are v gated emergency access only. They do not want anything to go through those entrances.

- Bucky Louckes: I don't even like them gated, but they keep pulling in there anyway.
- Mollie Messenger: Is it just coming in or coming out also or out or in, is it both ways?
- Mike Reilly: Yeah, both ways.
- Mollie Messenger: Just the way you said it, I wanted to make sure.
- Mike Reilly: The current plan of engineering everything for the phase one, but I still include the master plan in the set, so that's commemorated in the step. The ability can stop. We're keeping the master plan in mind cause we design, so we don't have any future issues. It is a bit of a challenge utility shift because we don't know exactly where everything is. We have a good idea where the connection to Elm Shade goes through. And what I have proposed on the most recent plan is a slight reroute to that. What I'm proposing is a new meter pit right along this, this one entrance. And we'll have a dedicated line that goes right back to Elm Shade, right to the connection point where it does now. And then also have, you know, our line that comes out a separate line as common as I can that put Elm shade a little bit deeper than Krula and hope there's no as to whose wines who see issues want to. Not surprising if right now there may be cross connected units because nobody knows where this maybe one should be in ductile. I'm in the midst of finalizing all that, that type of stuff. I've got again, we've been working on it the last 10 days or so. Pretty significant amount of information added to the plans. The one thing that I know the Planning Board was concerned about is that shrub tree, a screen, whatever you call Elm shade and Krula. I did look into the plant that Helen recommended at the last meeting called Sky Pencil Holly, and I speced that on the plans right now. I think that will work good. It has a pretty small finish width. It is supposedly only four feet or something like that. It does go up about 15. You plant 'em four or five feet on center and within a couple years, supposedly it is just, you know, a nice shrub wall for privacy. So that's what I proposed right now. Another thing that came up was the bed count, which I mean I have that on these. I didn't hand everything out. I've got no more room on the cover sheet. So I added all the bedroom accounts both before and after, you know, right now basically, or existing condition versus after the master plan. The ZBA said they required that breakdown.
- Arthur Rosenshein: You kept that in a square central.
- Mike Reilly: Yeah. I mean, I guess I could address that. Developers have been trying to reach out to Elm Shade stuff out and Molly has been trying to work it out as well. Don't have to worry about anything like that. Yeah, I dunno what power we have to dictate

- Mollie Messenger: That is a deeded easement through there, for their water line. And they're pretty much non-responsive at this point, which is why if the Planning Board agrees to some of these things, they kind of just have to be, but I don't know how you move the line with that heated easement.
- Mike reilly: There's no deed description or anything towards there it is a wide opening. Where it goes through it really screws us. In the meter right here I don't like, it's not near drive. Somebody pulls up it is dangerous.
- Arthur Rosenshein: They don't wanna cooperate. We can't do anything.
- Mollie Messenger: So does this need to go back to 239 again?
- Joel Kohn: Correct. I mean, I don't know. That's what the Planning Board decided last time.
- Helen Budrock: I mean technically they recommended disapproval cause that was kind of like the whole master plan. So in theory the Planning Board can just proceed. They just need a super majority to kinda overrule planning board's recommendation. Or you can send it back. But you're probably gonna get some of the same comments about the, you know, the access road and, and everything else. Which again, you know, you tried to work with the folks but just hasn't worked. So it's up to you Arthur if you have them go back to the town, they've seen it a couple of times.
- Arthur Rosenshein: What would be the point.
- Joel Kohn: And you know most of the points have been dealt with. We were all out there on site.
- Mollie Messenger: You just send it back as a response to what their response was. Cause you kind of left it open ended though. I mean, I think you have to close that loop.
- Helen Budrock: Yeah, I mean, cause technically once the board votes you're supposed to send the form back to the county with the board's decisions. So, you know, at that point maybe we can, you know, provide an explanation and say, you know, the reason why we overrode your recommendation was
- Arthur Rosenshein: Show them respect and let them know we disagree with them.
- Helen Budrock: Yeah cause I think this is a good compromise because like we discussed, it gets the applicant kind of what they want without necessarily contemplating the big picture which may or may not ever materialize.
- Mollie Messenger: What difference does it make if we send it now or later? Can you send this one to the fire department also please? If you haven't done that already. Yeah, I would send this.
- Joel Kohn: They were master plan.
- Arthur Rosenshein: Well the master plan was bit overwhelming.

- Mollie Messenger: I can't imagine the fire department said they were like happy about that.
- Joel Kohn: I mean, they had like six gallons that was back September 10th, 2019. Route 42 entrance needs to be allowed.
- Mollie Messenger: Right. So I think, just respond. Do me a favor, please, and just respond to the fire department with the new plan. Then you talk to the DOT and make them happy.
- Paul Lucyk: Can I ask question? What happens along the property line? No, about one of the utilities right down the property line. Going to Route 42.
- Arthur Rosenshein: You're talking about the same line. the same line. This is the road.
- Paul Lucyk: That is Gamble. But if you got all your utilities from Elm Shape, having them come down along the property line
- Mike Reilly: The existing spot where their water and sewer comes is somewhere right here. Right I'm running in that direction.
- Paul Lucyk: No, I was just wondering if you could do something with the right of away? What's this property?
- Mike Reilly: That's another project.
- Paul Lucyk: Is there a way of incorporating, if that ever goes through the water and sewer? Through a right of way to both.
- Joel Kohn: I need mores for variances for the buffer.
- Paul Lucyk: I don't think you got much of a buffer.
- Discussion.
- Mollie Messenger: You guys have elevations for the architecture of your consultant? I mean, I think if you resend the third department, just so they know you changed everything. The ARC, you did a mountain of stuff on the utilities. You'll add to the landscaping plan, all the different things that we talked about. Like I think you're much closer, right?
- Mike Reilly: Yeah.
- Mollie Messenger: Keystone can now look at the water and sewer
- Mike Reilly: Thank you.