

PLANNING BOARD
NOVEMBER 14, 2013

PUBLIC HEARINGS

Application 13-2 Evie A Stamas would like to do a 2 lot subdivision on Dry Brook Road in Arkville. Tax map # 307-1-47.

Application 13-5 Jennifer Slayton would like to do a 3-lot subdivision on Cross Road and Margaretville Mountain Road in Margaretville. Tax map # 284-1-79.3.

AGENDA

1. Approve/amend minutes from the October 10, 2013 meeting.
2. Action on application 13-2 Stamas.
3. Action on application 13-5 Slayton.
4. Sketch plan review for application 13-6 Frank Mann/Alta Industries would like to do a 2-lot subdivision on State Highway 30 in Halcottsville. Tax map # 242-1-39.11.
5. Preliminary discussion on application SP-231 Crossroads Ventures, LLC, Kenneth Pasternak would like to build a golf course and related structures on Galli-Curci Road in Highmount. Tax map # various.
6. Temporary Certificate of Occupancy for Robert Young on Hancza Place in Margaretville.
7. Anything else to come before the meeting.

The Town of Middletown Planning Board held their regular monthly meeting on Thursday, November 14, 2013 at 6:30 p.m. in the Town Hall, 42339 State Highway 28, Margaretville.

Board Members present:

Chairman----- Sue Finch

Other members-----John Nolan, Katherine Somelofski, Barbara Puglisi, Kate VanBenschoten and Glenna Herz

Others present: Len Utter (alternate), Charles Kowalski (alternate), Herb Finch, Greg Murad, John N Hoeko, Ralph Cowan, Janet Cowan, Jack Schoonmaker, Don Allen, Sonny Somelofski, Jack Balcom, Terresa Bakner, Gary Gales, Victor Fairbairn, Jeanne George, Bill McGuinn, Marge Miller, Kent Manuel, Patrick Davis and Beth Bush.

Chairman Finch called the public hearings to order at 6:30 pm.

Application 13-2 Evie A Stamas would like to do a 2 lot subdivision on Dry Brook Road in Arkville. The landowner is proposing lot 1 to be 5 acres and lot 2 to be 23.95. Don Allen asked if the map is the same as the variance map. Patrick Davis said yes it is the same map. No further public comment.

Application 13-5 Jennifer Slayton would like to do a 3 lot subdivision on Margaretville Mountain Road and Cross Road in Margaretville. The proposed lots are as follows: lot 1 is 7.05 acres, lot 2 is 5.89 acres and lot 3 is 36.32 acres. Ralph Cowan asked if the property crosses the road? Patrick Davis said yes it does. Leonard Utter asked if the village has a protection zone for the water system? Victor Fairbairn said they do not have one that goes on this property. Jack Balcom asked where the well house was located? Patrick Davis showed him on the map. No further public comment.

Chairman Finch closed the public hearings and called the regular meeting to order at 6:42 pm.

Katherine Somelofski made a motion to approve the minutes as presented. Sue Finch seconded motion. Motion carried.

Action on application 13-2 Evie Stamas. A short form EAF was completed for this application. Katherine Somelofski made a motion for a negative declaration. Barbara Puglisi seconded motion. Motion carried. Katherine Somelofski made a motion to approve the application as presented. Kate VanBenschoten seconded motion. Motion carried.

Action on application 13-5 Jennifer Slayton. A short form EAF was completed for this application. Kate VanBenschoten made a motion for a negative declaration. Glenna Herz seconded motion. Motion carried. Katherine Somelofski made a motion to approve the application as presented. Kate VanBenschoten seconded motion. Motion carried.

Sketch plan application on application 13-6 Frank Mann – Alta Industries would like to do a 2 lot subdivision to separate the rental units off the large lot. Lot one is proposed as 3.03 acres and the remaining lands are 185 acres. Katherine Somelofski made a motion to classify as a minor subdivision depending on when the Round Barn was divided off the large parcel, send for 239 review to Delaware County Planning Board and schedule a public hearing for December 12, 2013. John Nolan seconded motion. Motion carried.

Preliminary discussion on application SP-231 Crossroads Ventures. Terresa Bakner from Whiteman, Osterman and Hanna, Gary Gales and Jack Schoonmaker from Crossroads were present. Ms. Bakner explained that the SEQR process with the DEC is still in process and will hopefully be completed by early spring. She explained the numerous changes that have been made to the project since the original plans 10+ years ago. There are two major “resorts”, Wildacres Hotel and Highmount Spa. The Highmount Spa will be the high end facility and the Wildacres Hotel will be a more moderate priced facility. The sewage for the project will be going to the Pine Hill Sewer Treatment Plant, there will be a holding tank on site that will store up sewage until the plant can accept then will be piped to the plant. There will be a water tank on site to supply the project with water. The board had several questions for the panel, Leonard Utter asked if there was ever flow testing done with the Village of Fleischmanns wells. Ms. Bakner said it had been done and is included in the EIS. The water and stormwater laws have changed several times throughout the years and have become more restrictive so each time a law changes they had to redesign. Katherine Somelofski asked if the Ulster County DOH reviewed the project because some of the project is in Ulster? Ms. Bakner said yes and that the NYS-DOH reviewed it also. Katherine Somelofski asked about how they intend to handle snow removal? Ms. Bakner said that most of the facility provides under the building parking so that snow removal will be limited and they have planned for what snow removal will need to be done. Mr. Gales said that lighting was brought up frequently and that they had a lighting study done and according to the study there will be no light pollution from the project. Kate VanBenschoten asked if there will be night skiing? Mr. Gales said that if DEC buys Highmount it would come

under the same regulations as Belleayre, so no there would not be night skiing. Mr. Gailes explained that all the facilities will be open to the public, spas, golf course, etc. Katherine Somelofski asked what the construction schedule will be? 2 – 2 1/2 years for the golf course, then the 3rd year start the hotel, etc... 8 years total. Charles Kowalski asked where the workers will be coming from? Some will be outside, some will be local, if they are outside, then they will be housed locally Monday – Thursday. Kate VanBenschoten made a motion to have a workshop with Crossroads at 6 pm on December 12, 2013 with regular meeting to follow. Katherine Somelofski seconded motion. Motion carried.

Robert Young would like to get a 6 month Temporary Certificate of Occupancy extension on Hancza Lane in Margaretville. John Nolan made a motion to approve the 6 month Temporary Certificate of Occupancy extension. Glenna Herz seconded motion. Motion carried.

Preliminary discussion on application SP-232 Marc Schweitzer would like to operate a tourist home on Small Road in New Kingston. Barbara Puglisi is representing the owner for this application. Barbara explained that it is a 3 bedroom house. The board asked for a floor layout and parking. The board also asked Beth Bush for a copy of the standard conditions for tourist homes. John Nolan made a motion to schedule a public hearing for December 12, 2013 following the Crossroads workshop. Kate VanBenschoten seconded motion. Motion carried. Barbara Puglisi abstained from vote.

Rob Bond would like to get a Temporary Certificate of Conformity for the house at 2704 Millbrook Road in Margaretville. They need to finish the 2nd floor but the first floor is complete. Kate VanBenschoten made a motion to approve a 6 month Temporary Certificate of Conformity. Katherine Somelofski seconded motion. Motion carried.

Einat Burshtine would like to get a Temporary Certificate of Conformity for the house at 10 Roaring Brook Road in Fleischmanns. The decks need to be completed. John Nolan made a motion to approve a 6 month Temporary Certificate of Conformity. Kate VanBenschoten seconded motion. Motion carried.

Greg Murad asked to address the board regarding Mr. Kowatch's application for bulk storage on County Highway 36 in Margaretville. The run-off from Mr. Kowatch's property is ruining the ROW road on his property. Mr. Murad feels that he should not have to pay to maintain a ROW that is destroyed by Mr. Kowatch's new building. Kent Manuel asked who owes the ROW? Mr. Murad said that it is on his property with several properties that have ingress and egress on the ROW including Mr. Kowatch. There was an agreement provided during the application process but neither party signed the agreement. Patrick Davis said that we can look at the application again but legal counsel has advised against dealing with deed issues and private ROW's because the town has no legal authority. Katherine Somelofski feels that Mr. Kowatch misrepresented himself during the application process. She remembers Mr. Kowatch agreeing to maintain the ROW. The board would like to have the information on Mr. Kowatch's application sent to them so they can review it again. The matter of the ROW was discussed during the application process but was not included in the motion of the approval because the maintenance of the ROW was not in the motion and the town has no authority over ROW's.

FYI: CWC training on SEQR will be held on November 19, 2013.

Katherine Somelofski made a motion to adjourn the meeting at 8:25 p.m. John Nolan seconded motion. Motion carried.

