

PLANNING BOARD
SEPTEMBER 12, 2013

PUBLIC HEARING

Application 13-3 Henry C Farrar and Barbara Hoffman would like to do a 3 lot major subdivision off McMurray Road in Margaretville. Tax map # 305-1-12.11.

AGENDA

1. Approve/amend minutes from the August 8, 2013 meeting.
2. Action on application 13-3 Farrar & Hoffman.
3. Preliminary discussion on SP-230 Quality Leap LLC (Peter Molnar) would like to have multiple uses (2 retail spaces and one storage space) in the warehouse building on County Highway 38 in Arkville. Tax map # 307.1-2-44.
4. NYC-Buyout # 4801 Floyd Finch Road.
5. Discussion on the sign section of the zoning.
6. Anything else to come before the meeting.

The Town of Middletown Planning Board held their regular monthly meeting on Thursday, September 12, 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, Glenna Herz and Joyce Gray

Others present: Charles Kowalski (alternate), Len Utter (alternate), Vern Bauer, Diane Cardwell, Molly Oliver, Jeff Warner, Wanda Wright, Rob Allison, Vic Fairbairn, Thomas Fucignas, Kent Manuel, Patrick Davis and Beth Bush.

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

Application 13-3 Henry Farrar & Barbara Hoffman would like to do a 3 lot subdivision off McMurray Road in Margaretville. The landowner is proposing lot 1 to be 243.7 acres and lot 2 to be 67.84 acres and lot 3 to be 4.73 acres. Lot 3 is going to be sold to Delaware County to install an emergency services radio tower which will be accessed from the Swart Road sides of the mountain. This application will be major subdivision because the property had been subdivided previously. Diane Cardwell asked where the subdivision will be in relation to her property. Mr. Allison said that it is the mountain directly behind her property. Leonard Utter said that when he was Supervisor he walked the property and there were two camps on the property would they have to be removed? Mr. Allison said that property yes. Wanda Wright asked where cell tower access would be? The emergency services tower would be accessed from Swart Road. The county will probably install the tower for

emergency communication in the next 3 years or so. There has been no agreement or arrangement to put cellphone service on that tower at this point.

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

Katherine Somelofski asked to have the spelling of her name corrected in the attendance list. Katherine Somelofski made a motion to approve the minutes as amended. John Nolan seconded motion. Motion carried.

Action on application 13-3 Henry Farrar & Barbara Hoffman. This application received county approval. A short form EAF was completed for this application. Katherine Somelofski made a motion for a negative declaration. John Nolan seconded motion. Motion carried. John Nolan made a motion to approve the major subdivision application as presented. Katherine Somelofski seconded motion. Motion carried.

Preliminary discussion on application SP-230 Quality Leap LLC would like to have 2 retail spaces and one indoor storage business at the building on 93 County Highway 38 in Arkville. The board reviewed the plans submitted and asked for the following information to be provided for the next meeting:

- Show parking area
- Show the entrances for each business
- Will there be any lighting?
- Where is the loading dock? Where will the deliveries be made?
- What are the sizes of each space?
- What are the hours of operation for each business?

Barbara Puglisi made a motion to ask applicant for more information as listed, send this application to County for 239 review and schedule a public hearing for October 10, 2013. Kate VanBenschoten seconded motion. Motion carried.

NYC-DEP Buyout – State Highway 28 and Floyd Finch Road in Arkville. The property in question houses Vern Bauer's deeded spring rights and spring house and he has asked the board to not allow access to the property for fear of people tampering with either his water source or his spring house. Kate VanBenschoten made a motion to recommend NO access due to the spring and spring house located on the property. John Nolan seconded motion. Motion carried.

Sketch plan application 13-4 Anthony Mangone would like to do a 2 lot subdivision on Todd Mountain Road in Flesichmanns. The current lot is undersized and has 2 homes on the property and the owner would like to subdivide to get each house on their own lot. Both proposed lots are undersized and will require a variance for undersized lots. Katherine Somelofski made a motion to send this application to the ZBA for undersized lots. Kate VanBenschoten seconded motion. Motion carried.

Application BLA -255 Mark Deaton and Philip DiGiacomo would like to change one line on the previously approved boundary line adjustment. See filed map for clear details. Kate VanBenschoten made a motion to approve as amended. John Nolan seconded motion. Motion carried.

Sign discussion continued from August. Katherine Somelofski again stated that safety is the key issue for her, ie: line of sight and not blocking vehicle sight distance. Chairman Finch explained to the board that she had met with Pat and Beth and the permitted signs are not the issue, it is temporary/portable signs that cause the most problems. Signs located in the state ROW should be enforced by the state not the town. Pat Davis suggested maybe deal with off-premise signs, possibly put a limit on the number of off-premise signs per business, possibly allow one sign per business. Kate VanBenschoten asked if we have an actual definition for temporary signs? Kent will look into it and come up with something. Kent will look into off-premise signs on the scenic byway.

Katherine Somelofski made a motion to adjourn the meeting at 7:55 p.m. John Nolan seconded motion.
Motion carried.