

Town of Greenport Planning Board Meeting Minutes for June 27, 2017

The Planning Board meeting of June 27, 2017 was called to order at 7:30 pm by Chairman Stiffler. We then proceeded with the Pledge of Allegiance. There were 7 people in attendance.

Present:

| | |
|----------------------------------|-------------------------------------|
| X Edward Stiffler, Chairman | X Paul D'Onofrio, Member |
| X Robert MacGiffert, Co-Chairman | X Sandy Kipp, Member |
| X Michael Bucholsky, Member | X Ray Jurkowski, Engineer |
| X Virginia Benedict, Esq. | X Lisa Henry, Provisional Secretary |

Mr. MacGiffert motioned to approve the minutes of the May 23, 2017 meeting. The motion was seconded by Mr. D'Onofrio. All in favor, and carried.

Old Business:

Verizon Wireless – Scott Olsen was present on behalf of Verizon Wireless. Upon continuation of the public hearing, Mr. Olsen explained to the board that since April He has been working on the things the Board had required him to get. He went on to explain that they went back to the landowner and tried to get permission for the no build zone that the landowner did not agree to that without redoing the whole lease. He then went on to explain that they went to the manufacturer of the tower and on June 1st sent a letter to the Board from the manufacturer stating that they would make a tower that would fall in the lease area.

Mr. Bucholsky asked what guarantee from the engineer is there that the tower will fall in the leased area. He said he's concerned with the height and that the land area is vulnerable, future building, and also public safety. So he asked Ms. Benedict can we put a no build area. Ms. Benedict stated that there is nothing specific in the code but you can condition it on the site plan.

The length of the lease is 5 years but can be renewed, for a renewal time of 25 years. Mr. Olsen will provide a copy of lease for the board. Chairman Stiffler stated he doesn't see an issue by putting a condition in place on the site plan. Also the applicant should get with Fire Company and Fire chief to come up with an emergency response plan in case anything should happen.

Mr. Guterman, the attorney for the landowner has concerns about the developments that have arisen. He feels that he should be privy to all information given to the board. He feels the fence should be camouflaged so no one can see the equipment. The landowner feels that the board should have more information before approving the project.

Chairman Stiffler stated that whether or not the Board approves the project with conditions the maps cannot be stamped until all conditions are met. Verizon and the Landowners attorney will have to come to some agreement. The Board is here to look at the public safety on this so Chairman Stiffler asked the Boards opinion on the project.

Town of Greenport Planning Board Meeting Minutes for June 27, 2017

Mr. Bucholsky stated that the plans may change and feels that the Board should continue the Public Hearing for another month. Mr. Olsen told the board that he doesn't think that the attorneys can come to any agreement because of the unreasonable amount of money the landowner wanted. Ms. Benedict told the Board that they have a signed application from the landowner.

Chairman Stiffler told the Board that should they chose to conditionally approve the project he could not stamp any of the Site plans until that condition was addressed whether it is shown as a circle with a 125 foot radius or a note on the plan indicating 125 feet is a no build zone. The other Conditions would be the Fire Company and Ms. Benedict reviewed the lease.

A motion was made by Ms. Kipp for the conditional approval of the Verizon wireless tower; the conditions were the Decommission, the applicant getting together with the fire company and the Review of the lease. It was seconded by Mr. MacGiffert. Ayes 4 abstains 1, Mr. D'Onofrio abstained himself from the vote due to his relationship with Mr. Guterman.

Widewaters Greenport Company- Mr. Andris was present on behalf of Widewaters. He began the public hearing with an explanation of the project to the public and the Board. The applicant is proposing a single structure that will house two tenants. Which will be an Aspen Dental and a Urgent Care. The building will have 3 stone sides and a window front with awnings over the windows.

Chairman Stiffler asked if there was any public comment at this time on the project and there was none. Chairman Stiffler turned it over to the board; the board asked if the applicant had gotten with the Fire Chief. The Fire Chief was available to look at the project at the meeting and will be submitting a letter to the Board. The Applicant is also asking for a variance for a freestanding sign. The Board received a letter from the County stating that they do not see any issues with the project. This gives the Board the ability to make the decision on the project.

Mr. MacGiffert made a motion to close the Public Hearing. Ms. Kipp seconded the motion. All in favor and carried.

The Board went on to discuss the sign. Mr. MacGiffert made a statement that he does not agree with the sign; he believes it will start a precedent with the other businesses wanting signs as well. Mr. Bucholsky said that he disagreed; he feels it falls within the sign code. Mr. D'Onofrio agreed with Mr. Bucholsky and said there is no documentation saying that there can only be signs on the pylons and Ms. Kipp agreed. Chairman Stiffler said he is not favor of the sign, he said that it should be limited to the pylons. Mr. Bucholsky stated that in review that Widewaters has the right to say whether or not the businesses can have the signs as long as long as they are complying with the sign ordinance.

Mr. Bucholsky made a motion to approve the project including the placing of the sign. Mr. D'Onofrio seconded the motion. 3 were in favor and 2 were opposed.

Town of Greenport Planning Board Meeting Minutes for June 27, 2017

Colarusso Haul Road – Mr. Prendergast and JR Hefner were present on behalf of Colarusso.

Mr. Prendergast explained that they developed for the board an appendix p showing all permits and work done to the dock. He also stated that they have a public hearing with The City of Hudson Planning Board on July 13th. Mr. Prendergast also told the board that he had responded to B&L's letter and discussed some of their issues. He mentioned now they are proposing to pave the entire road instead of just 200 feet pave the entire road to eliminate the dust. They will be putting up 15 mph speed limit signs as well as snake and turtle crossing signs as asked to by Bagden Labella. Chairman Stiffler asked if Mr. Prendergast had sent the plans for paving the haul road to DEC yet, and Mr. Prendergast told the Board that yes he had forwarded the plans to Ms. Gabriel at DEC for paving the haul road. But has not received a correspondence from her as of yet.

Mr. Jurkowski told the board and the applicant that he also sent in his letter to DEC and was supposed to receive a letter but as of 5 pm he had not yet receive it. The applicant stated that they had their own biologist from Bagden environmental and He stated that the dust would not be detrimental to the wetlands. The Board asked about the ice on the paved road what they would use, and the applicant told the Board that they would be using sand rather than salt. Mr. Jurkowski also asked Mr. Prendergast about the truck traffic hours and if the applicant can get something in writing for the board.

Chairman Stiffler asked Mr. Jurkowski about where the Board is in beginning the part 2 in the SEQRA review. Mr. Jurkowski stated that from an engineering standpoint he would have liked to have gotten the correspondence back from the DEC to see what their comments were. Mr. Jurkowski asked if it okay with the Board and the applicant that if the letter from DEC comes within the next week how they both feel about a special meeting to complete part 2 of the SEQRA. Chairman Stiffler asked the Board about July 11th for the meeting at 6:30 pm for the meeting as a tentative date.

Dzubelski Apartments – The Applicant failed to appear at this time.

O'Reilly Auto Parts – Mr. Ginnochio was present on behalf of O'Reilly. He told the Board that they should have all the necessary paperwork. He also stated nothing changed since last month.

Chairman Stiffler told the Board there are two actions that we need to decide on tonight, one is do we need to do a full site plan on this project or just retail to retail since nothing is changing and the second is the variance for the pylon sign. Chairman Stiffler said the first thing we need to do is figure out is this going to require a full site plan. The board made some comments about there not being any major changes, in use of the facility, so no full site plan would be required

Mr. D'Onofrio made a motion that it is a NO CHANGE just RETAIL TO RETAIL business. MS. Kipp seconded it. All in favor and carried.

Town of Greenport Planning Board Meeting Minutes for June 27, 2017

Chairman Stiffler stated the next step is the sign variance; the applicant has stated that the setbacks for the proposed sign are 13.5 feet from side property line and 12.5 from front property line. Chairman Stiffler stated he believes that ordinance is 20 feet from the street line and 10 from side line. The Board took a few moments to look over the justification that the applicant gave for wanting the sign. Chairman Stiffler told the Board that they would need to SEQRA on this because it is required.

After completing the SEQRA part 2 review, a motion was made by Mr. D’Onofrio to accept a Negative Declaration on the sign variance. Ms. Kipp seconded it. All in favor and carried.

Chairman Stiffler asked the board if they felt the applicant had justification for the variance. Ms. Benedict then read the sign law. Chairman Stiffler thinking that it’s a convenience for the applicant and does not think that the applicant meets the standards for the sign. The Board looked at the proposed signs on the buildings. Mr. Jurkowski asked the applicant if there is a reason it can’t it be moved back. If you move the sign back then it would meet the sign requirements and you would not have to come back to the board.

A motion was made by Mr. D’Onofrio to deny the variance on the sign. Ms. Kipp seconded it. All in favor and carried.

Mr. Bucholsky made to approve for Chairman Stiffler to sign the new Drawings when the applicant comes back. Ms. Kipp seconded it. All in Favor and carried.

PRUDENCE PROPERTY NAPA AUTO PARTS- Ms. Moldoff and Ms. Wild were present on behalf of Napa. Ms. Moldoff stated that she received email from Mr. Jurkowski regarding the driveway entrance and will modify per that email. Mr. Jurkowski told the applicant that the highway superintendent made a request that they put stakes for the center line.

Chairman Stiffler said to the applicant you changed the stubs to the access points to expansion. Ms. Wild stated that the Napa building is the only project going in there. She also stated that they made enough room for other buildings to go into the parcel. Chairman Stiffler said that the board would like to see access to the other portions of the parcels on the plans.

Chairman Stiffler asked the applicant to send plans to the Water and Sewer Superintendent, Fire Chief, and Highway Superintendent for their input on the project. Mr. Jurkowski told the applicant that they would have to do a Storm Water Management Plan. Chairman Stiffler told applicant to show entire building and improvement on a map of the entire parcel.

Joslen Apartments –The applicant failed to appear at this time.

Jack’s Towing- The applicant failed to appear at this time.

Town of Greenport Planning Board Meeting Minutes for June 27, 2017

Greenport Land Partners- The applicant failed to appear.

Rose and Madsen- Mr. Knots was present on behalf of the applicant. Mr. Jurkowski asked about the driveway and Chairman Stiffler told him that Mr. Gaylord installed and approved the driveway. Mr. Knots explained that the subdivision of the smaller parcel off the north end of property is for a single family residence. Chairman Stiffler asked about the septic being approved by the health Department.

After Completing Part 2 of the SEQRA Review, a motion was made by Mr. MacGiffert to declare a negative declaration on the project. Ms. Kipp seconded it. All in favor and carried.

A motion was made was made by Mr. MacGiffert to set the Public Hearing for July 25, 2017 at 7:35 pm. Ms. Kipp seconded it. All in favor and carried.

Smokers Choice-The applicant failed to appear at this time.

S.T. Omi Realty- Mr. VanAlstyne was there on behalf of S.T. Omi Realty. The applicant is proposing a dual application for a subdivision and site plan review to establish a 4400 sq foot building. The applicant told the Board that all the drainage flows to the east no standing water exists on site.

The Board told the Applicant they would like to see existing drainage, the dumpster location, parking spaces and signage if any. Mr. Jurkowski told the applicant that he might to do a Storm Water Improvement Plan. The applicant said that the drive would be a stone surface. The board also told applicant to get copies of he plans to Highway Superintendent and Fire Chief for review and comment.

Graziano-Calcagno Development- Mr. Prendergast was present on behalf of the applicant. He explained the applicant want to do a site plan amendment. The applicant wants to pave the gravel area of the lot so that the dust stays off the cars and additional display area to an abutting parcel recently acquired. Mr. MacGiffert asked about a fence on the south side of the parcel. Mr. Prendergast said the neighbor didn't want one. Chairman Stiffler asked the Board is this a minor change to a site plan. Mr. Jurkowski asked Mr. Prendergast if he could show the grassy area on the map. The board feels a minor change.

Ms. Kipp made a motion to accept the application as a minor change to the site plan. Mr D'Onofrio seconded it. All in favor and carried.

Mr. Bucholsky made a motion that plans need to show the grassy area and once that's shown the Board gives Chairman Stiffler the approval to stamp the plans. Mr. MacGiffert seconded it. All in favor and carried.

Public Comment- There was no public comment this time.

Town of Greenport Planning Board Meeting Minutes for June 27, 2017

Mr. MacGiffert made a motion to adjourn the meeting at 9:50 pm. Mr. Bucholsky seconded it. All in favor and carried.

The next regularly scheduled meeting is July 25, 2017.

Respectfully Submitted,

Lisa Henry

CC: Edward Stiffler, Chairman
Sandra Kipp
Robert MacGiffert
Paul D'Onfrio
Michael Bucholsky
Ray Jurkowski

Virginia Benedict, Attorney
Town Clerk Sharon Zempko
Building Inspector's Office
Fire Chief Gary Mazzacano
NYS DOT
Columbia County Planning Dept.
Rapport Meyers (Via Website)