

Town of Greenport Planning Board Meeting Minutes for February 28, 2017

The Planning Board meeting of February 28, 2017 was called to order at 7:35 by Chairman Stiffler. We then proceeded with the Pledge of Allegiance. There were 35 people in attendance.

Present:

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

Robert MacGiffert motioned to approve the minutes of the January 24, 2017 meeting. The motion was seconded by Sandy Kipp. All in favor, and carried.

Old Business:

Colarusso Haul Road – Mr. Prendergast and J.R. Hefner were present on behalf of Colarusso’s. Mr. Prendergast stated last time we were here you asked that we make revisions to the narrative. Mr. Prendergast stated that we made the revisions that you asked of us that’s why we were not present at last month’s meeting. Since we last spoke the Colarusso did get the approval from DOT for the two curb cuts, we will be able to file for permits once we go through and get the SEQRA from your board. Mr. Prendergast opened up to the board for questions and comments. Mr. Prendergast brought in aerial views of the haul road from 1942 to 1980 showing the southbay causeway. Mr. Prendergast stated that Trish Gabriel from the DEC is waiting to put out a permit for the travel path work in the causeway. So my goal here today is to get the public hearing set up for the SEQRA, so that we can go to the county for review. Ray Jurkowski stated the he would like to have some comparison for the truck traffic that would be going through the Haul road in trips. Mike Bucholsky asked if that would include 9G also. Ray Jurkowski stated that he would like to see some kind of cross sections in the causeway. Mike Bucholsky asked if the quarry was an entrance or a Haul road entrance. Paul D’Onofrio asked how many hours do they work in a day and is it Monday through Sunday. J.R. Hefner stated they work 12 hours (7 am to 7pm) a day but most the time it is not needed and that’s because it is a Hudson zoning code dock restriction. Paul stated he would also like to have a count of how many trucks would be on the Haul road annually. Chairman Stiffler turned it over to Virginia Benedict, Esq. to go over some emails that the board received. She stated that Chairman Stiffler forwarded 3 separate emails to her, one from the code enforcement office of Hudson with an order to remedy, one with a cover letter Sent to the City of Hudson ZBA appealing the order to remedy from John Privitara both dated January 24, 2017, and a third from the code enforcement officer to the chair of Hudson’s ZBA board Lisa Kennelly with an order to remedy on February 23, 2017. Virginia Benedict stated that there were some concerns between Chairman Stiffler and her now that they received the notification of the order to remedy and the forwarding of the same. She also stated that back in December that they wouldn’t be looking at any unknown enforcement proceedings in Hudson that the dock would be in the overall SEQRA review. Now that there is an order to remedy Virginia got in touch with DEC yesterday (2-27-17). Greenport as lead agent does not want there to be a segmentation argument. Give an opinion until Town of Greenport. Virginia reached out to Mr. Eldred at DEC yesterday and then emailed her back as to the questions that she had and stated that he was waiting for an answer from General Council staff. Virginia was hoping to have a response today but Mr. Eldred left office at 2:15. So at this time I’m advising Greenport Planning board that they need to hear back from DEC so that they aren’t faced with segmentation.

Mr. Prendergast stated you've been to the dock you've seen what was done they've replaced rotten wooden bulkhead with steel piece of the same size. The whole process had SEQRA review from Army Corp. DEC, the Department of State. Virginia stated that if DEC tells her that it is ok to move forward she will tell the board to move forward. Mr. Prendergast asked if there was something we can do, perhaps a motion to conditionally set up the public hearing depending on what the state attorney says. Chairman Stiffler stated that he was a little apprehensive to set that meeting up because he wants to know for sure that all is going to be moving forward. Bob MacGiffert stated that the room would have to be paid for no matter what. John Privitera asked what questions Virginia asked DEC. John Privitera also stated that Enforcement proceedings are exempt from SEQRA. Virginia said that her question was (Our issue is the town of Greenport planning board must include this in the SEQRA review to avoid segmentation and the city of Hudson Zoning board cannot issue its determination without the town of Greenport Planning board completing SEQRA review, which includes overall dock area. I want to know how to advise my client the town of Greenport to proceed.) John Privitera stated the project site according to the narrative and application is the Haul road. The entire project is taking place inside as defined. So what is the segmentation? Virginia said we have to look at the whole project site. John Privitera stated it's not going to change whether we stay on Columbia Street or use Haul road. No matter what the dock will always be used. Mr. Prendergast stated that he thinks that they are going to lose another month. Mike Bucholsky told Mr. Prendergast we had to finish SEQRA and it had to go to county before we have it. Then Chairman Stiffler stated we are not having a public informational meeting to solicit information for SEQRA review. Mr. Prendergast asked if there would be any harm in referring it to the county. Chairman Stiffler stated that he does not think that the county will take it without the SEQRA because that's what constitutes a complete application. Bob MacGiffert said SEQRA has to be done first. He also stated that he thinks its better that we do it this way. Mr. Prendergast stated it's unfortunate that it's a really good project and to see it be delayed and beaten on. Chairman Stiffler said what the board could do if the board is comfortable we could tentatively set up the arrangements with the college for the room, Stenographer, and it would be after our next meeting but shortly after our next meeting. It would be a special meeting. Virginia said 6 or 7 weeks from tonight after the 13th of April. The meeting being tentatively set up for April 18th at 6:30pm to 10pm.

Dzubelski Apartments – They didn't show up for tonight's meeting.

Verizon Wireless – Virginia Benedict updating the board that the project is on hold. She exchanged messages with Scott Olsen adding storm water north of building, to accommodate both phase 1 and eventually phase 2 buildings. Ms. Nelson stated they are trying to accommodate several things with the entrance so that you can pull. He told her that the market manager changed and the engineer changed. He will be getting a supplemental response to pertaining water tower. Indicated that the engineer told him that there was an issue with trees and elevation. Going to have Engineer get in touch with Ray and also look at sewer plant. Ray said he'd walk the site with them. Ray asked about the shot clock they had been concerned about, Virginia stated that they reset it. Chairman can Stiffler can you get an email for our records.

Affordable Self-Storage – Board member Sandy Kipp recused herself from the board due to being abutting land owner. Engineer Brandee Nelson stated application has been modified in part because adding storm water north of building, to accommodate both phase 1 and eventually phase 2 buildings. Ms. Nelson stated they are trying to accommodate several things with the entrance so that you can pull a truck into the driveway so that the end of truck is not in the road, also the gate will have a key pad entry. The town has a sewer easement that runs diagonally through the front of the property, and we've talked to Mokszycki and he stated that he does not want any structures located in the easement. Ms. Nelson thinks that it addresses one of the concerns that Mrs. Kipp had about people using her driveway

for turning around. Mr. MacGiffert stated that Mr. Mokszycki wants that gate moved from the sewer easement; he doesn't want it there at all. Ms. Nelson asked is that reasonable there are sewer easements all over the place and there are fences and driveways that cross them. I think we can work something out with the town to accommodate him. I spoke with him a week and a half ago and his concern was he would be liable if he had to make a repair in that area. Ms. Nelson stated that she spoke with Mr. Baright and he said he is willing to work out an agreement to some degree of cost sharing or arrangement where it's not all on the town. Ms. Nelson stated it doesn't make sense to move the gate on the inside of the easement because it cuts off too much of the property and if we move the driveway it gets in the way of the sign area we would have to cut down a large maple tree in the front by the sign. Chair Stiffler asked where the tree was and they showed him on the plan. Mr. Baright says the request of not having a fence or a gate over a sewer line is really not customary. Chairman Stiffler stated that the board does have a letter on file objecting to the fence and the easement. Chairman Stiffler stated that whatever you work out with him we would need a letter stating that he is fine with what you are doing. Virginia Benedict asked if Ms. Nelson had a copy of the sewer easement with her. Ms. Nelson stated that she believes she has sent in all copies of the sewer easement but would do it again if needed to do so. Mr. Jurkowski suggests grade lines on one of the plans. Chairman Stiffler asked Ms. Nelson about a third building in the future said he would like to see storm water drainage for that potential real estate on plans. Ms. Nelson stated that there is not in the future plans for a third building. Ray Jurkowski wanted to see grading on phase 1 and it should be part of site plan document because at the end of the day when Mr. Baright comes for certificate of occupancy everything will be done right. Mr. Baright stated that there was a change in the sign. It is now a 10 by 5 sign illuminated with solar panes and 2 LED goose neck lights in back. Ms. Nelson stated that her requested for the night was the go through SEQRA review process since everything that the board requested was revised. Mr. MacGiffert then asked about the fire chief letter. Ms. Nelson stated that they have not gotten it yet. Mr. Bucholsky asked about the propane tanks. Mr. Baright stated we use propane at the other facilities, have decent contracts, and it doesn't cross over the sewer lines. Mr. Bucholsky stated let just see what the fire chief says. Mr. Jurkowski stated that he has a note regarding the HVAC units being in the alcoves of the building, can you also put them in the plans. Ms. Nelson stated they are in the floor plan that we submitted. She also asked Mrs. Benedict if she would consider this a coordinated review or an uncoordinated review. Mrs. Benedict asked Chairman Stiffler and Mr. Jurkowski answered and said an uncoordinated review. When they submit the revising site plan, they also should have the letter from the fire chief and Mr. Mokszycki as well. Ms. Nelson asked if they could do the SEQRA review. Then she asked if they could set up the public hearing for next month. Mr. D'Onofrio said he wants to see things get cleared up first. Mrs. Benedict asked Ms. Nelson do you have the Rockefeller Nucci maps easement. The manholes on these maps I cannot tie to the ones I have in front of me. We can argue whether or not it was licensed or not by Lonestar but it doesn't say if it runs with the land or its signs and I would want to see those maps. Even on an original survey we have, it refers to the easement it doesn't refer the document itself. I think it's important we have this together; I can't look at this and say yes that's what is on this map. Mr. D'Onofrio said to the Chairman Stiffler that he would like to see our council look into and see if they can put in underground electric service, if they wanted to and natural gas. The sewer lines get crossed everyday he also stated they are trying to put in underground and he does not see a problem. Chairman Stiffler asked Mrs. Benedict if she understood what he was asking for. She then stated that the easement itself does allow for both the electric and the underground natural gas. She also stated that she would look into Paul's question, but she would still like to see the maps with sewer easements to make a determination. Chairman Stiffler asked if that was the consensus of the board to wait till next month for the public hearing. He then told Ms. Nelson to get the information the board needs and the

things Ray has asked for and we will see you next month.

O'Reilly Auto Parts – Mr. Ginocchio the architect for O'Reilly auto came in to discuss the proposed renovations to the building location on Fairview Ave. in the Price Chopper plaza. In the photos it showed that the existing front windows will be closed up except the front doors. O'Reillys would paint all facades of the building to freshen it up, put new signs on the building the front sign would be a 63 inch O with 23 inch letters reading (reilly) and the side of the building would have a 49 inch O with 19 inch (reilly). The sign will be internally illuminated with a uniform white led glow. Ms. Kipp asked about putting a sign up in the Price Chopper Marque. Mr. Ginocchio says he didn't have that info at that time. Chairman Stiffler stated he had a conversation with the code enforcement officer and he had said something about a freestanding sign on the south end of the property. Mr. Ginocchio stated he wasn't prepared to present that this evening and can bring that information at a different meeting if the board would like. Chairman Stiffler stated that all signage needed to be on the site plan. Mr. Jurkowski stated that the site plan doesn't have that information. Since you will be making changes to LED light fixtures looks like you'll be taking out the existing wall packs as well and proposing new ones, Mr. Ginocchio stated they were. Mr. Jurkowski asked him to make sure he adds a cut sheet diagram. Chairman Stiffler mentioned dating his application, asked if he was showing the overhead door in the west elevation. He answered yes. Chairman Stiffler went down a list of the new things that O'Reillys would be putting in the entrance, sidewalks, handicap ramp, wheel stops and then said it's all in the key notes. Ms. Kipp asked if deliveries remain the same, also about changing the inside. Chairman Stiffler asked if there were Mr. Jurkowski had anything else, Chairman stated he would like to see a site plan without all the notes. If you refer to the checklist on the site plan application you will see all the elements the board likes to see. Mr. Jurkowski would like to see photo metrics on lighting. Chairman Stiffler any other comments, concerns. Mr. MacGiffert come back with plans the board needs next month. May be considered a minor change and a dated application.

PRUDENCE PROPERTY NAPA AUTO PARTS- Engineer Morgan Moldoff came in with for a Sketch plan review to go over wanting to move the existing Napa store from its location now to the new property. Mr. Jurkowski stated he wanted to walk the property with the superintendent so they both can look at it. There are also concerns about traffic in the area. Suggestions were made on keeping it a right turn only. Chairman Stiffler noted that the site plan should and signage show sewer easement. They went on to talk about the sewer and the issue with it. Also want a lighting plan, Mr. Jurkowski asked for a cut sheet diagram of the fixtures. Ms. Moldoff showed picture of the building. She was asked to add pictures to the site plan of that as well. Chairman Stiffler told her to go through the checklist.

Public Comment-

Jerry Grossman stated project going on behind his house he was concerned about the rising water on his property. Mr. Jurkowski stated that at the beginning of winter when they inspected the berm it didn't meet requirements the north side was not tall enough they had to rework the squall between the berm and the adjacent property lines because they weren't flowing water so they are aware of that. So they were reworking the pipes. He told him it's a building problem issue that he inspects the footing. Chairman Stiffler stated he would ask Mr. Jurkowski to give Jerry Crouse a call to go look at it.

A motion was made by Robert MacGiffert to adjourn the meeting at 9:30 pm and Sandy Kipp seconded and it was carried.

Respectfully Submitted,
Lisa Henry Provisional Secretary

