

Town of Rockland Planning Board
July 3, 2013

Present: Chairman Thomas Ellison, Richard Barnhart, James Severing, Nancy Hobbs and Chris Andreola. Also present: Code Enforcement Officer, Glenn Gabbard and several members of the public.

Chairman Ellison opened with the pledge to the flag. On a motion by Richard, seconded by Nancy, the minutes of the previous meeting were accepted as distributed.

Chairman Ellison reported that the Town Board had appointed Joy Wood to the Planning Board to fill the vacancy left by Phil Vallone. He expressed his welcome to her (she was unable to attend this evening) and his gratitude on behalf of the Town to Phil for his years of service on this board.

Mr. Lawrence Genovese Sr. and Jr. from the Deckertown Motor Sports Garage appeared before the Board with a request to extend their Saturday business hours from noon til 4pm. There was discussion. Mr. Genovese presented a letter from a former tenant stating her support of the garage operation. He stated the need for repair work on a Saturday when people were not working. The winter months had been slow and Saturdays have been a good business day but closing at noon hampered the community. Other repair businesses in town were either not open or closed early. Jim stated that he himself needed vehicle repairs on a Saturday and couldn't get them done.

The original special use permit was issued by this board in November of 2009 with conditions set forth. There have been numerous complaints received about the business with several of the conditions violated at one time or another - more than 10 cars; cars parked in the green space on Beaverkill Rd; late hours of operation; flower bed on the corner neglected; and cars on the short cut road parked near or over the white line. Both the Code Enforcement Officer and Board members have witnessed these conditions.

Mrs. Lotz shared her and her husbands concerns and objections to the extension of Saturday hours. She noted at least 15 times the Saturday hours have been extended this year alone and nine times they had been open on Sundays. As the Lotz's bedroom faces the road and garage the late night activity disturbs them continuously - noise, lights and banging doors.

Chairman Ellison asked the board members for their comments and concerns:

- The garage cannot be a hang out for friends, this is a mixed use area and the hours of operation must be adhered to.
- As noise carries differently some neighbors are affected and some are not.
- There needs to be a balance found with everyone working together.
- Perhaps a compromise on the time requested.
- Is the use of the back doors feasible? No repair bay only an access door.

Options: 1. Richard recommended to stay with the conditions set originally to see if compliance is met during a probation period.
2. A compromise of Saturday hours - 2pm.
3. Summer/Winter hours.

Jim made a motion to revise Saturday hours to 2 p.m. on a probation period of 3 months and any violations of any conditions be noted by the Code Enforcement Officer. If conditions are violated the Saturday extended hours would be revoked. Chris seconded and the motion was carried 4-1. This will be reviewed again at the October meeting.

Mr. Robert Eckert from Northern Farmhouse Pasta presented an updated site plan showing the majority of parking along the side and in the rear of the building with handicap space in the front only. This area would be gravel. He will keep the farmhouse look of the porch with small down facing lights. There was discussion of the Lp tank at the rear - this will be secured to prevent movement in case of flooding.

The County sent their comments from the 239 Review. They are concerned with the site lines from the road and suggested the planters and sign be set back sufficiently, parking areas and porch roof. Mr. Eckert had no problem meeting these conditions.

Richard made a motion to grant final approval of this special use application, Chris seconded and all were in favor. Mr. Eckert submitted a check to the clerk.

Mr. Scharaco from Hunter Lake requested general information on how to go about replacing his home. The Board suggested he work with the Code Enforcement Officer and perhaps an engineer to advise him of the proper steps to insure compliance.

Jim asked the Board their opinion concerning the property owned by Matt Blume on Mud Pond Road. This has been subdivided a few times and if it is done again would it be considered a major subdivision. The Board felt that it would and also require a dam maintenance agreement attached to all the lots.

Updates: The town comprehensive master plan needs final revisions and town board approval. Tom spoke with the supervisor about moving this along to completion.

The Delaware County Emergency Services sent information concerning their emergency radio communication system. The Board of Supervisors is lead agency and are foregoing site plan review. One of the sites may be on the Tennanah Lake Road, possibly in the Town of Rockland. Tom asked the supervisor to respond stating that the Town of Rockland reserve the right to apply Town Codes to any and all project sites within the Town.

With no further business before the Board Jim made a motion to adjourn, Chris seconded and all were in favor.