

Town of Rockland Planning Board
May 4, 2016

Members Present: Chairman Thomas Ellison, Richard Barnhart, James Severing, Nancy Hobbs, Chris Andreola and Robert Eckert. Absent: Joy Wood
Also Present: Supervisor Robert Eggleton, Councilman Edwin Edwards, Code Enforcement Officer, Glenn Gabbard, Attorney for the Town, Kenneth Klein, Engineer Wes Illing

At 7:00 p.m. on a motion by Chris, seconded by Nancy and all being in favor, Chairman Ellison opened the recessed public hearing on the Dollar General Special Use application. Several members of the public present wished to speak:

Robin Almquist presented an on-line petition in opposition to the Dollar General building in Livingston Manor. She read a few of the comments posted to the petition.

Lisa Lyons submitted a topographical map of the area above and including the lot in review. She pointed out that there were quite a bit of hills and valleys shown which funneled water straight into town along the Cattail Brook.

George Fulton stated that in his 40 plus years in the area he has seen the town at it's highest and it's lowest in terms of businesses. The lot in question is not in the normal flood path that affects Livingston Manor. This has only been a problem because of extensive tree removal above town causing streams and bridges to become blocked, pushing water over and around the debris. This was a man caused problem not nature. Mr. Fulton commended this board on it's diligence in addressing many items of concern.

Jennifer Grossman spoke of the SEQR review process, positive and negative declarations, lead agency etc. She suggested DEC and/or Army Corps of Engineer involvement for the project review.

Wes Gillingham urged the Board to continue to consider the company success record and the quality of their products.

Richard made a motion to close the public hearing, Robert Eckert seconded and all were in favor. Chairman Ellison noted that several written statements were received both in favor and opposed to this project. Written comments would be accepted for another two weeks.

Chairman Ellison commented that is was a permitted use per town codes, a SWPPP had been received and reviewed and upon Mr. Illings suggestions this plan was revised to meet the towns special circumstances concerning flooding. The submitted SEQR was still under review.

Chairman Ellison opened the regular meeting of the Planning Board with the pledge to the flag. On a motion by Richard, seconded by Jim the minutes of the April meeting were accepted as distributed. On a motion by Jim, seconded by Chris the minutes of the March meeting were accepted as distributed.

The Primax/Chaimis subdivision plan was presented with requested changes. The rear lot line has been adjusted to include additional land encompassing the stream bank and drainage area. Documents for the County 239 review will be submitted.

The Dollar General revised site plan was presented showing the subdivision lot line adjustment. Mr. Peters also noted an additional light pole to illuminate the dumpster area, additional shrubbery to define the property line and willow shot planting to help stabilize the stream bank.

There was discussion on the County 239 review for the project. It is recommended:

- that the light pole bollards, concrete bases and curb stops remain un-painted or painted a solid neutral color
- the front four parking spaces be removed or relocated
- the faux barn door shutters and awnings be repeated at regular intervals along the building to create a sense of balance
- requiring a landscape bond
- consider requiring all signs to be made of natural materials and/or have a matte surface
- obtain a permit from the Sullivan County DPW prior to commencement of work to determine whether there is adequate sight distance entering the county roadway

Mr. Peters made note of the items listed above and will revise the site plan to include the barn door look along the facade. He will be meeting with the county DPW tomorrow to check the site distance. The landscape bond has already been approved.

Mr. Peters noted that the front parking spaces allowed the business to be viewed as open and operational. These spaces had already been moved from another area to accommodate truck traffic, impervious surface and safety issues and additional landscape bushes will be planted to further screen the spaces. The light pole bollards need to be painted a bright color to enhance safety for drivers and only one pole will be visible from the county road and be screened with shrubbery. The building sign will be lit by goose neck lights, not internal lighting, and a non glare material will be used.

The majority consensus of the board is to leave the parking spaces in front of the building.

Chairman Ellison asked Wes Illing to summarize his review of the project in light of past discussions and work by the town to mitigate flooding issues. Special use permits regulated by the Planning Board could offer solutions to effectively discharge storm water in various zones, from immediate release to delayed discharges. The impact of each project by itself is insignificant, but collectively can be very significant over time. The discharge times meet or exceed DEC standards for storm water.

The initial storm water plan submitted by the Dollar General had been compliant with the DEC standards but was far from our criteria. Upon Mr. Illings' recommendations the applicant completely re-did their plan, capturing and discharging storm water quickly well ahead of peak flows in the Willowemoc River and Cattail Brook.

Mr. Greg Guda, 371 Amber Lake Road, submitted a special use application to remove and build a summer home on a non-conforming lot on Amber Lake. There was discussion. A survey map needs to be submitted showing current water and septic locations as well as neighboring utilities. The code requires that changes must not make matters worse than they are. This is a very small narrow lot and setbacks will be hard to meet.

Evelyn Yiouvanoglou appeared before the board seeking information about opening a home based business at 1995 Old Rt 17, Roscoe. She would like to make and sell organic soap. Her home is located two blocks from the center of town, has three parking spaces in the front and has a front room which would be used as the retail space. There was discussion. This would be a small operation with small limited quantities of products on site. This is permitted as an accessory use. Ms. Yiouvanoglou will return with a survey map and floor plan of her home.

Jim recused himself from the board as Haven for Humanity appeared and presented their business plan. Upon much review it has not been determined the exact nature of this enterprise (camp, agriculture, educational). They live off the grid and would offer classes and retreats to further educate the public on their way of life. They would have personal and educational farm, edible forest, recreation (hiking etc) and short term living quarters for volunteers and retreat participants. They will return with more information. Jim rejoined the board.

Updates/Correspondence: Training Seminar coming up at the county.

- A letter was sent to the Town of Liberty in response to the Treyz Hill project.
- Emery Cell Tower renewal: all sites are in good condition with some maintenance needs. Glenn has been in touch with the council for SBA and passed on his concerns. On a motion by Jim, seconded by Richard the special use permit for the Emery site will be extended 2 months.

There being no further business before the Board, Richard made a motion to adjourn, Robert seconded and all were in favor.