

Town of Rockland Planning Board
December 4, 2013

Members Present: Chairman Thomas Ellison, James Severing, Richard Barnhart, Carol Park, Chris Andreola, Joy Wood and Nancy Hobbs. Also present: Supervisor Edward Weitmann, Code Enforcement Officer Glenn Gabbard and engineer for the Town, Wes Illing and several members of the public.

At 7:00 p.m. Chairman Ellison opened the public hearing for the Hemlock Ridge Apartment Re-development Project. The public hearing notice had been published in the Sullivan County Democrat on November 19, 2013 and individual notification given to property owners within 500' of the complex property. Proof of mailings were submitted to the clerk.

Mr. John Bainlardi, representing Wilder Balder Properties, gave a brief description of the apartment complex re-development project. Members of the public who wished to comment signed in and were given the chance to express their concerns:

Alan Mears described the storm water runoff issues he experiences along the rear of his property and asked how this might be corrected with the re-development project. Mr. Illing responded to his concerns by citing the Town codes which require more stringent storm water storage and release measures both during and after construction.

Mr. Mears also asked about underground fuel storage tanks - were they presently using underground tanks, would they be inspected, replaced or re-used? Are they considering geothermal heating systems? Presently they are proposing the use of propane heaters.

Dettering Hamilton asked if local labor would be used during the construction and how long was the project expected to last. Mr. Bainlardi stated that they do try to use local contractors as they would be nearer the work site. Mr. Bainlardi was asked if job listings would be posted locally and he responded that he could certainly do that.

Darlene Smith also stated that the storm water runoff problem existed along her property as well and this was a serious concern. She also asked if the project included fencing the perimeter of the property. There is a continuous problem with residents trespassing and an abundance of garbage (tires, diapers etc) ending up on private property. Mr. Bainlardi made note of her concerns and stated that they would certainly entertain the idea of fencing. He also stated that the building directly behind Ms. Smith's property would be removed and not replaced with the new project.

Susan Malool asked about the start date and length of the project. If funding was acquired they would most likely begin in the spring of 2014 and the project would last 18 months - 2 years.

Jill Smith also stated her concern with trash and trespassing residents on her property expressing the need for some kind of fencing. Chairman Ellison stated that this board needs to address the project in terms of meeting town codes and unfortunately we cannot make the owners be 'good neighbors.' Again, Mr. Bainlardi stated he would look into the fence issue.

Jeanne Smith spoke to the liability issue of people trespassing, especially children climbing trees and building 'forts'. She asked how close the new buildings would be to the property line. The new buildings would be no closer than they are right now.

Oliver Brooks asked how the residents would be handled during the demolition and construction process. Residents would be moved out of one building and into another as buildings are torn down. Then relocated into the newly finished buildings.

Alan Mears asked about surveillance camera's. He has observed questionable behavior from his residence and the addition of surveillance cameras would reduce problems. Cameras are already in the scope of work for the project.

There being no further comments from the public present Richard made a motion to close the public hearing, Chris seconded and all were in favor.

Chairman Ellison opened the regular meeting of the Town of Rockland Planning Board with the pledge to the flag. On a motion by Jim, seconded by Joy the minutes of the previous meeting were accepted as presented.

Last month a question was raised as to whether the Town could require a redevelopment project to meet all of the current codes or if waivers would be necessary. Mr. Ellison spoke with the town attorney for his opinion. There is nothing in the codes to compel a developer to meet codes on portions of the project that will remain undisturbed.

Recent submittal from the project engineers include:

- Revised site plan
- Fire apparatus maneuvering plan
- Preliminary stormwater pollution prevention plan (SWPPP)
- Hydrant inspection report
- Landscape estimate
- Drainage plan improvement to School Street
- Utility plan showing location of water, sewer, underground propane tanks, electric and phone service lines

Jetting and video review of existing sewer mains will be scheduled and an assessment of I & I work will be performed with necessary improvements designed into the project.

The applicant is requesting a waiver for the requirements of a perspective rendering of the landscaping. Richard made a motion to grant this waiver request, Jim seconded and all were in favor.

Chairman Ellison noted an incorrect entry on the Environmental Assessment Form - the receiving stream name. A hand written change was made and initialed. A corrected form would be forthcoming. On a motion by Jim, seconded by Chris and all being in favor a negative declaration was made (full declaration attached).

Special conditions were noted as follows:

- Sewer mains were to be jetted and a video review assessment performed
- A notation concerning the spraying of herbicides/pesticides limited to no more than two times per year
- Addressing the stormwater runoff issues on adjoining properties and town roads
- Addressing the need for fencing critical areas of the property

As this project needs County 239 Review the clerk will submit required paperwork for their comments.

Chairman Ellison thanked Mr. Bainlardi and members of the public for their input and review of this project.

Mr. Michael Troutschold appeared before the board to inquire the procedure necessary to re-establish a lumber mill operation on the Vitale property. He is interested in purchasing the property and re-opening the operation. He would be receiving and shipping logs, sawing lumber, shipping lumber/mulch/chips. He'd like to enlarge the garage in order to maintain and repair his trucks.

Mr. Troutschold also stated that approximately 20% of his operation would be trucking. He currently has five trucks with three operational at this time along with various other pieces of logging and mill equipment. As the mill has been shut down for some time a site plan review would need to take place. The property is approximately 6 acres in total with two lots (one on either side of Creamery Road).

A sawmill operation is permitted as a special use in this General Business zone but a trucking business is not listed. A lengthy discussion took place. Chairman Ellison will consult with the town attorney for his interpretation of the allowable use being primarily a wood related business with some trucking and report back.

Town of Rockland Planning Board
December 4, 2013
Page 4

Phil Vallone contacted Mr. Ellison for preliminary discussion on locating a brewery operation on his property in Hazel. He would like to grow hops and barley, process and brew beer all in one location. This is zoned Rural Conservation. Mr. Vallone will come in next month for further discussion.

All cell tower sites have 5 year renewals. A letter was sent after last month's meeting requesting submission of full annual review reports to the board and town engineers to continue the 5 year renewals.

Chairman Ellison spoke with Ken Klein, attorney for the town, in regards to the problems with the Deckertown Garage. As a board we cannot call a public hearing for review. They are either in or out of compliance with the conditions set forth. If they are in violation the Code Enforcement Office can site them and take them to court if the violations are not corrected.

The next meeting will fall on January 1st, this being a holiday the meeting will be set for January 8, 2014. The clerk will post a notice in the town newspaper of the change in date.

There being no further business before the board Jim made a motion to adjourn, Joy seconded and all were in favor.