

Town of Rockland

Planning Board

Regular & Zoom Meeting

May 5th, 2021

Members present: Chairman Thomas Ellison, Vice Chairman Richard Barnhart, Ryan Edwards, John Veleber, and Joseph Lambe, also present, Patrick Hines of MHE engineering, and Board Secretary Kaitlen Madison.

Absent members: James Severing, Robert Eckert

Members of the public via Zoom: Code enforcement officer Glen Gabbard, ZBA Chairman Art Reigal, Land surveyor Don Viele, Steven Barshov

Chairman Ellison opened the meeting with the Pledge of the Allegiance to the flag. On a Motion by Chairman Thomas Ellison to approve with amendments to the April meeting Minutes was made, Seconded by Richard Barnhart. The motion carried 5-0.

Camp Na'Aleh: Special Use Permit

One (1) neighbor (within 500 ft of property lines) was not contacted for the public hearing and concerns were brought to the office of code enforcement and the Town's attorney Ken Klien. A second (2nd) public hearing will be scheduled (Time and date to be determined) to accommodate the attorney of the Town of Rockland Ken Klien to be present.

Zola Holdings LLC (Ben Shamis)– 9/13 Creamery Rd: Subdivision

Land Surveyor Dan Viele presented a 2-lot subdivision for between 9 Creamery Rd and 13 Creamery which is located behind the Dollar General store and Livingston Manor volunteer ambulance Corp. building. The two (2) lots are 1.4 acres and .45 acres. Concerns were raised by the board members of the legality of Mr. Ben Shamis having the authority to represent Zola Holdings LLC. Code enforcement officer Glen Gabbard informed the Board that Mr. Ben Shamis had been informed of having to provide documentation showing proof of representation and as of the date of the meeting May 5th, none have been submitted. An additional issue was raised due to the recent marketing of the building on the property as a single-family home without a Certificate of occupancy. The building in question is currently listed as an office and garage / storage space with the Town code enforcement office and Assessor's office. The Planning board is requesting that on the site plan map which is labeled as a house must be changed to office and storage. Patrick Hines from MHE engineering made comment on that each lot show its zoning. The shared driveway will either require a new access point or an easement.

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There appears to be an encroachment of an adjoining house, it was investigated by Mr. Dan Viele but will be addressed at a later date. The utilities (electric, water & sewer) are visibly confirmed but it is being requested to have total confirmation that the utilities are accessible to both lots. Parts 1 & 2 of the SEQRA form are to be submitted.

W.W Kocher / Davdison General Store:

At the March 3rd, 2021, the Planning board formally denied the Davidson's general store special use permit due to a failure to meet the back and side yard requirements. The special use permit was sent to the Zoning Board of Applies for a Variance which was granted on April 15th, 2021.

The Town ZBA requested that the Davidson's General store lease enough property from the adjacent property of Bald mountain LLC to comply with parking requirements. Eight (8) parking spaces and one (1) handicap space have been noted on the site plan, shown in green. Additional documentation has been requested to show an easement with Bald mountain LLC for use of the septic system and the lease of land to be shown on the site plan. Request of the lighting and signage must be clearly marked on the site plan including dimensions with dark sky compliance and Town ordnances land scaping 185-19. The planning board will proceed with the Davidson's general store, Due to the property's location near the Catskill park, a SEQRA form must be submitted along with updated digital site plans.

A motion was made to be the lead agency with a Notice of intent being sent to Sullivan county division of planning & community development & DEC. The motion was made by Richard Barnhardt and seconded by John Veleber; Motion carried 5-0.

Updates / Correspondents:

SBA Towers: updates will be followed up with Chairman Thomas Ellison and Secretary Kaitlen Madison, review of escrow accounts, and site recertifications.

Town Updates: The Town of Rockland is holding a Zoning Review committee to review by-laws regarding Food truck use, short term rental, storage containers. Continuing education credit hours will be given to those participating.

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A motion to adjourn the meeting was made by Richard Barnhart and seconded by Joseph Lambe, motioned carried 5-0.