

Town of Rockland Planning Board
September 3, 2014

Members Present: Chairman Thomas Ellison, Richard Barnhart, Chris Andreola, Joy Wood and Robert Eckert. Absent: James Severing and Nancy Hobbs. Also present, Code Enforcement Officer, Glenn Gabbard, Wes Illing, engineer for the town.

Chairman Ellison opened the meeting with the pledge to the flag. The minutes of the previous meeting are being revised and will be reviewed at the next meeting.

Mr. John Bainlardi, vice president of Wilder Balder Properties, owners of the Hemlock Ridge Apartments in Livingston Manor appeared before the board to update the renovation project. The renovation project was presented last year and accepted by this board in November. The project did not get funding and ground breaking was postponed as funding was sought from other sources. Closing on this funding is expected in the next few months and they would be ready to break ground early next year.

The decision had been made to go with stick built units instead of pre-fab, built on concrete slab instead of basement crawl spaces. One building would be eliminated and the other locations shifted slightly to better accommodate traffic flow.

Wes Illing submitted his comments by letter and reviewed his concerns with the board and Mr. Bainlardi. Mr. Bainlardi and his engineers will address the concerns raised: profile of sewer lines and storm drains, inflow and infiltration report, fire hydrant flow data, utility location, landscape plan, storm water detention pond hold time report. There was discussion on addressing the concerns raised by neighbors - fencing, garbage etc.

The chairman asked Mr. Bainlardi to submit another check to cover the escrow account in the amount of \$1000. Richard made a motion stating that the previously submitted SEQR was still relevant to the project, Chris seconded and all were in favor. Mr. Bainlardi and his engineers will be in touch with Wes to work on the concerns raised in his review.

Mr. Joe Korn appeared before the board to offer his apologies for constructing a garage on his property in Hunter Lake with the lack of permits and address the concerns raised by the Code Enforcement Officer. He presented several letters addressing the wet lands, runoff and boundary line issues. This garage was built on a separate non conforming lot adjacent to his house property. No special use permit was applied for, reviewed or obtained. There was discussion. Mr. Thomas Ward, speaking for Mr. Korn, offered several options: moving the garage to the center of the lot, correcting the boundary line issue; ZBA variance; boundary agreement with Mr. Bouton, the adjacent lot owner (Mr. Bouton spoke in favor of drawing up this agreement).

Mr. Gabbard raised the question as to whether a variance or legal boundary agreement would allow the structure to remain a special use permit would still have to be reviewed. Wes stated that the run off issues can be mitigated with proper engineering and most likely a large expense, then there was the issue of wet lands and DEC involvement.

Chairman Ellison stated that he feels he needs to consult with the town attorney for more clarification on the issue and how to proceed. Mr. Ward asked to be notified of Mr. Klein's opinion and he will meet with Mr. Korn to discuss the options and expenses involved.

Mr. David Mance appeared before the board in connection with the Davis Road subdivision that was approved in 2009. Richard recused himself from the board. None of the six lots in the subdivision have sold and discussion has taken place concerning the lot development. Most likely two of the lots will be combined for a total of five. Mr Mance would like to request conceptual approval to eliminate the large storm water retention pond previously approved of for the construction and consider three smaller ponds to be built as needed when lots are sold and construction begins. The new designs would meet the previously accepted flows and his engineers would submit several preliminary options for review.

Chris made a motion to grant conceptual approval of modifying the original design for storm water retention for the Davis Road Subdivision, Joy seconded and all were in favor. Richard rejoined the board.

Vincent Barbado, owner of Big Dog Arms, Roscoe appeared before the board to present his idea to construct a firing range on property on Gulf Road. At first he would plan an outdoor range with an indoor facility coming along later. He is asking the board for their input and whether this is an acceptable plan. He would have the facility constructed and run by NRA certified standards for safety. This property is zoned rural conservation and this type of activity is an acceptable use. The board feels that an indoor facility would be more feasible to mitigate noise and be a year long use instead of seasonal. The project is do-able and within the town code specifications. A special use permit application must be submitted with site plan review. Mr. Barbado thanked the board for their time and suggestions.

Mr. Niko Niforatos recently purchased the Pantore Garage on Rockland Road at the county tax auction. He would like to continue the vehicle repair business and needs a letter from the town on the zoning classification to acquire his state licensing. This garage was in existence before the town adopted zoning regulations and the operation has not been abandoned. It is within this boards prerogative to allow the operation to continue. No action needs to be taken by this board. Mr. Gabbard will issue a letter stating this to Mr. Niforatos.

There was discussion on the Catskill Brewery not meeting their special use permit conditions - keeping the driveway open, adding signs for the fire lane, landscape design, parking designation. Mr. Gabbard continues to be in touch with the owners over these concerns.

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

