

Town of Rockland Planning Board  
October 7, 2015

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

At 7:00 p.m. Chairman Ellison opened the public hearing on the Kofler Subdivision, Sattler Road, Roscoe. No one from the public wished to comment. On a motion from Jim, seconded by Richard, and all being in favor, the public hearing was closed.

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

Mr. Bruce Fulton updated the board on issues raised last month. The newly created lot must connect to the municipal water and sewer as it's available (a letter was received from the superintendent stating this). A letter was received from the Highway Superintendent concerning the driveway and length of road. There has been no response from the county on the 239 review process. The SEQR was completed and signed.

On a motion by Jim, seconded by Nancy a negative declaration was made. Richard made a motion to grant final approval upon receipt of the County 239 Review, Jim seconded and all were in favor. Chairman Ellison will sign the maps once a letter has been received from the county.

Dr. Nussbaum appeared before the board along with Mr. George Fulton to present additional information on the former Marty's Furniture lot. An updated survey map was presented showing that the adjoining property owner built his garage on the lot line. There will be a boundary agreement made. The rear of the property was filled in many years ago with tunnel muck and is very stable. Over 50% of the property is covered with vegetation. The Nussbaum's have no intention of enlarging the building as they will utilize the present square footage of both the building and parking areas. The first building would be used for the processing operation and office. The back building for cold storage. A floor plan would be helpful in determining use of space.

Mr. Illing offered to review the code requirements with the applicant to determine waivers needed. Chairman Ellison stated that this board would be willing to meet for a special meeting if necessary once additional work is completed on the site plan to keep this project moving forward.

Dave Mance presented the board with a lot improvement for Davis Road. A subdivision was approved in 2006 and now someone is interested in purchasing both lots, thus the lot improvement. Jim made a motion to approve this lot improvement, Bob seconded and all were in favor.

Phil Vallone appeared before the board requesting approval for a 2 lot subdivision on Hazel Road, Livingston Manor. Currently there are two existing dwellings on the lot. The well serves both residences and an agreement would be made. There are two separate septic systems. A public hearing will be set for the next meeting, November 4<sup>th</sup> at 7 pm.

Mrs. Janet Ciradullo, 96 Park Drive, Hunter Lake appeared before the board on the advice of Mr. Gabbard. He has issued a stop work order on the deck being built on her home. In June 2013 approval was given for Mrs. Ciradullo to build a home to replace one that burned during the winter. At that meeting it was stated that the old structure was 24'x40' and she was requesting approval to for a 26'x40' structure. Approval was given for the structure including storm water mitigation and a deck.

Since then it has come to the code enforcement officers attention that the original structure was substantially less than stated to this board (approximately 608 sq ft). The new structure is approximately 1068 sq ft, substantially larger. Aerial photos were retrieved from 4 months before the fire and showed a smaller dwelling in existence. The stop work order was put in place as the deck is being built larger than the approved plans making the side set backs worse.

The board had approved the site plan on good faith after considering the information presented to them. Now the new deck will make matters worse and even more non-conforming. There was discussion. Richard made a motion to approve the construction of a deck as previously presented on the site plan dated May 2013. Robert seconded and carried 5/1. Mrs. Ciradullo was instructed to inform her contractors to remove the added footage of the deck.

Updates:

- A letter has been sent to SBA for additional escrow funds for the cell tower site review. Wes was asked to check each site since work has been done.
- The Dollar General appeared before the ZBA for a setback variance. It was discovered that code states 50' to be the set back and not 100' as previously thought. The amended zoning change had never been finalized by the Town Board.

Chairman Ellison suggested that this Board not approve another project on Hunter Lake without more review and research to be able to make better informed decisions.

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