

Town of Rockland

Planning Board

Regular & Zoom Meeting

May 4th, 2022

Members present: Chairman Jennifer Grossman, Vice Chairman Richard Barnhart, Ryan Edwards, Robert Eckert, and Molly Stahl.

Also present, Code enforcement Official Glen Gabbard and Board Secretary Kaitlen Madison.

At 7:00 pm, Chairman Grossman opened the Planning board meeting with the Pledge of the Allegiance to the flag.

Chairman Jennifer Grossman made a motion to approve the April meeting minutes, the motion was moved by Robert Eckert, seconded by Ryan Edwards, the motion carried 5-0.

- Chairman Jennifer Grossman discussed correspondence and updates with board members as follows:
- Zoning Review meeting – 2nd Tuesday 6:30-7:30
- Discussion -Individual member folders with project materials
- Letter from Boces Western Suffolk – long range planning study for LMCS district
- Continuing education credits reminder – 2022
- Review of escrow accounts for current projects
- Limiting number of applicants on the agenda – 4 per meeting

SBA Tower: 107 Gulf Rd. / YorkTown Rd. (Dickman) – Special Use Permit

A pending special use permit has been submitted by Cuddy & Feder LLP / SBA Towers. The permit is due by June 8th pending as issues that may come up after Code Enforcement officer Glenn Gabbard & Town Engineer Patrick Hines of MHE engineering will coordinate a site visit prior to next Planning board meeting.

An Escrow check was received 5/4/2022 by SBA Towers for Dickman Tower for \$1,000.

- Town of Rockland Planning Board closed the meeting at 7:14pm

Public Hearing: DeRosa Hotel / Courtyard SBL: 22.-2-5– Special use Permit

- ❖ Public hearing opened at 7:15 for the DeRosa Hotel

Anthony DeRosa returned to the Planning board with the Special use permit application of the DeRosa / Courtyard Hotel, which was submitted back in October of 2019.

Completion of public notification was submitted to Secretary in a timely manner including certified proof of mailing & publication of public hearing in local newspaper, Sullivan County Democrat.

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Patrick Hines of MHE engineering read aloud his engineering comments requesting:

- Submit a conceptual site plan under 185-17A of zoning Code
- Zoning district, Zoning Bulk table be identified on plans
- NYS design Professional prepared site plan
- NYSDEC Floodplain location on plans
- Updated SEQR Part 1 to be completed on DEC website
- Parking calculation
- Town Codes sec 112-9 length of stay (30 days) transient stay
- Sec 185-3 mixed uses permitted
- Updated maps from Town of Rockland assessor's office to confirm the lot ZBA approved variance & lot improvement/ combination.

- With no further comment from the public, Vice Chairman Richard Barnhart made motion to close the public hearing, Robert Eckert seconded the motion. The motion moved 5-0. Public hearing closed at 7:21pm

Public Hearing: Dogzilla & CatCong LLC / Nigel Cronk: 286 Elm Hollow RD / SBL:14.-1-9 – Special Use Permit

- ❖ Public hearing opened at 7:30pm

Nigel Cronk of Dogzilla & CatCong LLC presented his conceptual business plan of expanding his already existing business of dog walking, overnight care for cats & dogs in the owners' homes. Mr. Cronk would like to run a modest homestyle doggy daycare and overnight kennel out of his home located on Elm Hollow Road.

Completion of public notification was submitted to Secretary in a timely manner including certified proof of mailing & publication of public hearing in local newspaper, Sullivan County Democrat.

Two (2) members of the public spoke about concerns of barking dogs being a nuisance to the neighborhood. [Lawrence Kobilinsky of 277 Elm Hollow Rd.& Shelia Shultz]

Nigel Cronk reassured the public with addressing the possibility of reactive barking with the use of protective vegetative barriers and his five (5) plus years of professional dog handling experience.

- Vice chairman Richard Barnhart made a motion to close the public hearing, the motion was seconded by Molly Stahl. The motion moved 5-0. The public hearing closed at 7:46 pm.
- ❖ The Town of Rockland Planning meeting reopened at 7:47pm.

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Dogzilla & CatCong LLC / Nigel Cronk: 286 Elm Hollow RD / SBL:14.-1-9 – Special Use Permit

Nigel Cronk of Dogzilla & CatCong LLC presented his conceptual business plan of expanding his already existing business of dog walking, overnight care for cats & dogs in the owners' homes.

A formal packet with all requested materials & dimensions and pictures of the doggy enclosure with a vegetative screen to protect against noise on the neighboring side, surveyors site plan and SEQR part 1

Chairman Jennifer Grossman read aloud & completed SEQR Part II & III. A motion was made to declare a negative declaration by Vice Chairman Richard Barnhart and second by Robert Eckert. The motion carried 5-0.

With Completion of the SEQR, the Board moved to give Final approval for the Special use permit of Dogzilla & Catcong LLC.

A motion for Final approval for Special use Permit was made by Chairman Jennifer Grossman, the motion was moved Robert Eckert by and second by Vice chair Richard Barnhart. The motion carried 5-0.

Public hearing: BWW Brewers Inc. / Upward Brewery – 171 Main St. – Special Use permit

❖ Public hearing was formally reopened at 7:50pm.

James Severing appeared before the Board, presented the results of an informal meeting on April 15th, 2022, at the Upward brewery between David Walton, Chairman Jennifer Grossman and the concerned neighbors who appeared at the April public hearing. At this informal meeting the concerns were addressed:

Wendy Zayas who spoke on behalf of the of her Mother Naomi Peck, who had issues with fluctuating water pressure from the spring feed well. An agreement to clear the top of the well off to help with pressure was done.

There are only prescriptive rights to the well, no formal documents at this time.

Concerns brought up by the Davis family about storm water runoff which has been an ongoing issue, a “gentleman’s agreement” was made to clear the dig the ditch to help with storm water runoff.

➤ With no further public comment, a motion was made by Richard Barnhart to formally close the public hearing at 7:56pm, the motion was seconded by Molly Stahl. the motion carried 5-0.

❖ The Town of Rockland Planning meeting reopened at 7:57pm.

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WW Brewers Inc. / Upward Brewery – 171 Main St. – Special Use permit

With Submission of all final Site plan maps, SEQR parts I, II, III completed, GML 239 submitted to the Sullivan County division of Planning and Community development with no comment, Chairman Jennifer Grossman made a motion to make a final approval for the Subdivision of 171 Main St. The motion was moved by Robert Eckert and was seconded by Richard Barnhart. The motion carried 5-0.

Hu-GRE-NO-MAC Inc. / SBL: 41.-1-6.1 ,6.5, 6.10 – Lot Line Improvement

Jim Severing presented a Lot line improvement / combination for 1 square acre for 1 square acre of land.

The lot line improvement removes the encroachments.

Cox Road has Rights of ways through all properties, is only access.

The Lots cannot be subdivided again.

There are no electrical hook-up & no wells at this time.

A motion to approve the lot line improvement/ combination by Vice Chairman Richard Barnhart and seconded by Ryan Edwards. The motion carried 5-0.

Susan Post: 109/ 111 DeBruce Rd. / SBL :26.-1-5 - Subdivision

Jim Severing presents a two (2) lot subdivision for a parcel owned by Susan Post.

Total acreage for the two lots is 9.20, Lot A would become 8.37 acres and Lot B would be 0.83 acres.

The property is located in the General business zoning district, which has no minimum lot requirements.

The property has two wells and 2 septic systems. 50ft right of way to driveway access.

Planning board member Ryan Edwards recused himself for the review of the of the subdivision.

SEQR part I was submitted by Jim Severing. The parcels line within the Catskill Park but is exempt for a submission of a GML 239 to the County for review. A notification of intent to be lead agency will be required to be submitted to the NYSDEC.

Vice chairman Richard Barnhart made a motion to be lead agency, the motion was seconded by Robert Eckert. The motion carried 5-0.

A public hearing will be held on June 1st at 7:00pm, in accordance with proper notification of publication in a local newspaper ten (10) days prior to the meeting and notification to surrounding neighbors of 500ft of property lines with proof of certified mailing.

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Catskill Brewery / SBL: 39.-2-9: Special Use permit

Chairman Jennifer Grossman recused herself from the review of the Catskill Brewery.

Tom Ward P.E of Ward Engineering presented the conceptual plan of a 108' x 50' ft, 500sq ft. Barn style assembly use / tavern (A-2) & light manufacturing(F-2) space giving the building two (2) special use occupancies within the General Business district.

The Brewery is seeking to expand their business with the construction of a larger assembly space, the current main building would be used only for light manufacturing and storage and would than be closed to the public.

Patrick Hines of MHE and Code Enforcement official Glen Gabbard commented on the need for the Barn style building to be fully sprinklered due to the lack of windows and mixed occupancy use. Parking across the street would need to follow NYS BC accessibility requirements. A cross walk may be required with stripping.

Food production: no kitchen, only warming

Currently there are two (2) single family dwellings that will be demolished, and have current demolition permits from the Town Building department.

A five hundred (\$500) escrow has been requested to be established at this time.

SEQR part 1 has been submitted

A motion was made by Vice Chairman Richard Barnhart to declared lead agency, the motioned moved by Robert Eckert. The motioned carried 5-0.

Broadacres Farms / SBL: 45.-1-1.1

Broadacres Farms returned with updated site plan maps , and SWPPP (Storm Water Pollution Prevention Plan) a Full EAF form .A request for consistency from the project was brought up with inconsistent listing of the number of tax parcels ranging from twenty (20) to twenty six (26) to be subdivided .

Patrick Hines of MHE engineering reviewed the technical comments as follows : 1. SWPPP comments are provided under a separate cover.
2. Status of the approval by the Town Board for connection to Town Sewer should be discussed. This as last discussed in July of 2020 .

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3. NYDEC approval for sewer main extension is required.
4. The plans have apparently changed to utilize individual wells to serve each of the uses. Health Department approval for water systems is required.
5. Access to the Cabin sites should be addressed on the plans. Cabin Sites are located a significant distance off the access road with no sidewalks. Proposed grading is not conducive to access the Cabin Sites.
6. The applicant's representative are requested to discuss the distant parking areas from the cabins. – questions about emergency vehicles access to cabins with limited parking area .

Review from local Fire Department will be required .

7. Culverts should be depicted at driveway crossings.
8. Grading for roadways appears to significantly impact several of the proposed driveways. Example :being driveway to Lot 6. Grading for the driveways should also be provided on the Grading Plan.
9. The wells identify to serve multiple cabins would be considered a community water system requiring treatment. Health Dept. approval for all community water systems identified on the site will be required.
10. The Highway Superintendent and jurisdictional emergency services provider should comment on the proposed road grades. Grading on the roadways is identified at 15%. Example being regenerative way at 1 + 81 – 5 + 58.
11. Compliance with Section 154-19 (6) should be addressed. Cul-de-sac is limited to 9 Lots or must have specified cul-de-sac “bulb”.
12. Jurisdictional determination for the wetlands should be received from the Army Corps of Engineers. The amount of wetlands impacted should be identified. Permits and or preconstruction notification to the Army Corps of Engineers will be required.
13. The Planning Board may wish to request a ‘Hydro Geologic’ Report for the design of the wells on the site to confirm the adequacy of the proposed wells on the site.
14. The plans should depict all existing residential structures in the vicinity of the outlined property boundaries.
15. Site development details should be added to future submissions including roadway sections, erosion and sediment control, sanitary sewer, details for stabilized turf parking and storm water management facilities.
16. The applicants are requested to explain one way entrance road for residential, farm use and emergency egress only will be enforced on Hoag Road.

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17. Discussions with the applicant's Attorney, Town Board and Town Attorney should be undertaken regarding the operation of the common areas Storm Water Management Facilities, Sanitary Sewer Facilities.

18. Trails are depicted crossing Wetland A which will be an additional wetland impact. Total wetland impacts on the site should be identified.

19. The number of units in the use. Inn with Restaurant should be identified. Notes should be added to the plans requiring that the use meet zoning requirements, owner occupied or a resident manager residing on the site. Code enforcement officer's opinion regarding the public restaurant within the proposed Inn should be received.

20. Any future submissions should contain appropriate landscaping plans in accordance with Section 185-19.

21. Parking calculations for all uses on the site should be added to the Zoning Notes on sheet C050.

22. Status of the Planning Boards SEQRA, Lead Agency circulation should be discussed. The Municipal Ownership of Hoag Road and the site should be clearly defined.

23. Further review of the plans will be undertaken upon submission of the detail design plans. Traffic report is under review by this office.

Adjournment

A motion to adjourn the meeting was made at 9:37pm by Chairman Jennifer Grossman, the motion was moved by Robert Eckert and seconded by Molly Stahl, motioned carried 5-0.