

Town of Kent Planning Board

Approved: April 10, 2014

**Minutes
Town of Kent Planning Board Meeting
February 28, 2014**

Following the Pledge of Allegiance, the meeting was called to order at 7:30 PM by Mr. Michael McDermott, Chairman of the Town of Kent Planning Board.

In attendance were the following Planning Board members:

Michael McDermott, Chairman
George Brunner
Anthony Mastrangelo (Alternate)
Arthur Singer (Alternate)

Dennis Lowes
Charles Sisto
Philip Tolmach

Others in attendance:

Bruce Barber, Environmental Consultant
Bill Walters, Town of Kent Building Inspector
Julie Mangarillo, Engineering Consultant

Absent:

Janis Bolbrock
Glenna Wright

• Approve Planning Board Minutes from January 9, 2014

Mr. McDermott asked for a motion to approve the Planning Board minutes from January 9, 2014. The motion to approve the minutes was made by Charles Sisto and seconded by Philip Tolmach. The roll call vote was as follows:

Mike McDermott Aye
Janis Bolbrock Absent
George Brunner Aye
Dennis Lowes Aye
Anthony Mastrangelo Aye
Arthur Singer Aye
Charles Sisto Aye
Philip Tolmach Aye
Glenna Wright Absent

The motion carried.

Mr. McDermott advised the audience that there were three Public Hearings being discussed at the February meeting and asked that anyone who wished to speak sign in on the respective sign-up sheets.

He asked for a motion to open the Public Hearing for the Buckley property. The motion was made by George Brunner and seconded by Philip Tolmach. The motion carried.

• **Buckley Property, 12 Par Court, Carmel, NY 10512; TM: 42.7-1-20 (Public Hearing)**

Mr. John Delano, of Badey and Watson, represented Mr. Jonathan Buckley, the owner of the property. The applicant had previously built a garage and new driveway without permits from the Town of Kent. The previous Building Inspector, Ms. Julie Butler, became aware of this and had issued a stop-work order. The owner was advised to go to the Planning Board for an erosion control permit. Mr. Delano had prepared the erosion control plan and submitted it to the Planning Board for approval.

Mr. McDermott asked for a motion to open the Public Hearing on the Buckley property. The motion was made by George Brunner and seconded by Philip Tolmach.

The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Absent</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Anthony Mastrangelo	<u>Aye</u>
Arthur Singer	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

Mr. McDermott asked the public if anyone wished to speak regarding this property and there were no comments from the public. Mike McDermott asked if the Planning Board members had any comments.

Mr. Singer said the access road would be improved and asked to what specifications it would be improved and who would be responsible for that. Mr. John Cyr, the contractor on this project, said he had been in contact with Mr. Fred Adams to make the improvements to the road and that Mr. Buckley and his neighbor would pay for the repairs. Mr. Buckley said that China Barrett Homeowners' Association has also been researching contractors who may be hired to address drainage problems.

Ms. Mangarillo said that the existing road would not be brought up to any existing specific town code standards, but did need to be improved. She stated that if it weren't for this application it would not have been brought to the Town's attention. Arthur Singer said that at the present time the road was impassible and asked if it were improved to an extent that it could be driven on but still had drainage problems what would happen. Ms. Mangarillo said that in that case someone would have to register a complaint with the Town, Sedgewood Club and/or China Barrett Homeowners' Association to remedy the situation.

Mr. Tolmach mentioned that during the site walk Mr. Yuran, Mr. Buckley's neighbor, agreed to help pay for repairs to the road and asked if a written agreement had been made. Mr. Cyr said that no agreement had been made to date, but Mr. Buckley was going to improve the slope to his driveway and that it would help with the drainage problems.

Mr. Bill Walters, Kent Building Inspector, advised the Planning Board that he and Ms. Mangarillo had visited the property recently and that the property owner to the north of the Buckley property had put in a drainage ditch and grate to redirect any runoff or stone off of the driveway and away from the Buckley property and that he believed it would work. He stated that he believed Mr. Buckley had complied with all the recommendations from the Planning Board and that, if this was confirmed, the remedy of order would be removed pertaining to the Buckley property. Once it was verified that the property to the north of the Buckley property had also remedied the drainage problems their remedy of order would also be removed, and the Sedgewood Club violation would remain open to see what their corrective actions would be.

Mr. McDermott asked for a motion to close the Public Hearing. The motion was made by Mr. Tolmach and seconded by Mr. Mastrangelo. The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Absent</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Anthony Mastrangelo	<u>Aye</u>
Arthur Singer	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

Mr. McDermott asked Mr. Wilson if this project was ready to be referred to the consultants for administrative review. He said that it was.

Ms. Mangarillo said that there were several driveway waivers requested (memo of February 18, 2014 attached) which needed to be addressed and that the bond needed to be approved. Once these matters were resolved the project would be referred to administrative review.

The Planning Board previously asked that a note be added to the drawings that the garage was not a residence, which still needed to be done when the plans were resubmitted.

Mr. McDermott asked if the Erosion Control Bond could be approved and forwarded to the Town Board Ms. Mangarillo said that she would recommend approving the driveway waivers and that the bond be approved and forwarded to the Town Board.

Mr. McDermott asked for a motion to accept the bond of \$9,200.00 and Initial Inspection Fee of \$1,000.00 and forward it to the Town Board. Mr. Brunner made the motion and it was seconded by Mr. Tolmach. The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Absent</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Anthony Mastrangelo	<u>Aye</u>
Arthur Singer	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

Mr. McDermott asked for a motion to grant the waivers detailed in the Town Engineer's memo. The motion was made by Mr. Brunner and seconded by Mr. Tolmach. The roll call vote was:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Absent</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Anthony Mastrangelo	<u>Aye</u>
Arthur Singer	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

Mr. McDermott asked for a motion to move this project to the administrative review track. The motion was made by Mr. Brunner and seconded by Mr. Tolmach. The roll call vote was: llows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Absent</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Anthony Mastrangelo	<u>Aye</u>
Arthur Singer	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

- **Morini Property, China Paper Circle, Kent, NY; TM: 42.18-1-2 (Public Hearing)**

Mr. McDermott asked for a motion to open the Public Hearing on the Morini property. The motion was made by Mr. Brunner and seconded by Mr. Sisto. The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Absent</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Anthony Mastrangelo	<u>Aye</u>
Arthur Singer	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

Mr. John Watson represented the applicants, Robert and Patrice Morini, who also were present at the meeting. The applicants purchased this property in 1989 and now wanted to build a single-family house in the R-80 district in the Sedgewood Club community on a 3 ½ acre piece of property with approximately 400' frontage on China Pond. Mr. Watson said that usually this project would not need to go before the Planning Board, however the applicants were requesting driveway waivers which necessitated the need for a Public Hearing. The road is a dead-end road and not adequate for vehicular traffic. They need to improve a section of a road which is sub-

standard to build a driveway for this lot. The slope is 17%, which exceeds code, and they want to reduce it to 15%.

Mr. McDermott asked for anyone in the audience to speak to come forward.

Ms. Melissa Boyer-Cafiss, the Town of Kent Historian, said that she wanted to discuss the stone chambers found near the Morini property. The Town has encouraged the preservation of stone chambers and she wanted to thank the Planning Board as well as the applicants for their endeavors to preserve them.

Mr. Gilbert Spitzer, a property owner at 45 China Circle Court, had concerns about improvements to the road and asked that it not be paved and that it remain a crushed stone and gravel road. He said that to put an impervious surface on the road would accelerate stormwater runoff. He also said that there was a legal issue between Mr. Judson Rosebush and the Sedgewood Club pertains to a stipulation that the road is to maintained as a gravel road and he had a copy of Exhibit "E" of the agreement to prove it was valid which he distributed to the Planning Board.

Mr. Watson asked to be heard and stated that the plans for the Morini property had nothing to do with China Circle Court. Mr. Spitzer said that he was misinformed and apologized for the confusion.

Mr. Tom Maxson, a representative of Highlands Historic Preservation, spoke about the stone chambers and thanked the Planning Board and applicants for their efforts to protect the stone chambers. Philip Tolmach asked Mr. Maxson his opinion regarding the condition of the stone chamber referenced above and he said that he thought it was in good condition.

Mr. McDermott asked Mr. Watson if any part of the stone chamber is on the Morini property and he said that the answer was no. Mr. McDermott asked if there were precautions taken when preparing the plans to ensure the preservation of the stone chamber and he said that construction fence was put up along the driveway and a guide rail was going to put up. An earthen berm and swale is proposed to crown around the top of it to divert any stormwater runoff around the stone chamber. Mr. Watson also stated that the inside of the stone chamber had been rebuilt and was not the original stone chamber, but that it was in good condition.

Mr. Singer suggested that Insite, Tom Maxson or the applicant take pictures of the site for the Planning Board files to compare them to pictures which will be taken after the project is completed. Mr. Morini said that the road bed had been in existence for many years and that there would be no blasting or disturbance to the road.

Mr. Bruce Barber, the Planning Board environmental consultant, said that Mr. Watson had agreed to take photos before, during and after construction. He also said that periodic inspections of the Morini property would be conducted and it could include the stone chambers.

Mr. Singer asked if the road was being improved to town specifications. Ms. Mangarillo said that the Town Code refers to unimproved right-of-ways also known as paper roads and that Insite had provided a table showing the specifications they could meet and the ones that they could not meet because of existing conditions and constraints of a rural road. The road in question is a private road off of a private road. Chapter 57 of the Town Code states that the Planning Board can waive requirements.

Mr. McDermott asked for a motion to close the Public Hearing. The motion was made by Mr. Tolmach and seconded by Mr. Lowes. The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Absent</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Anthony Mastrangelo	<u>Aye</u>
Arthur Singer	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

Mr. McDermott asked Ms. Mangarillo what actions the Board should take. Ms. Mangarillo said that waivers needed to be granted and the bond (\$5,871.24 and \$1,000.00 Initial Inspection Fee) needed to be approved and referred to the Town Board.

Mr. McDermott asked for a motion to approve the bond and refer it to the Town Board for their acceptance. The motion was made by Mr. Brunner and seconded by Mr. Tolmach. The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Absent</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Anthony Mastrangelo	<u>Aye</u>
Arthur Singer	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

Mr. McDermott asked for a motion to grant the driveway waivers as outlined in the Town Engineer's memo (attached). Ms. Mangarillo said that she recommended one change (Item 4A on the second page) that the proposed foundation course is acceptable at 8 inches. Mr. Tolmach made the motion and it was seconded by Mr. Mastrangelo. The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Absent</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Anthony Mastrangelo	<u>Aye</u>
Arthur Singer	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

Ms. Mangarillo said that the pavement course should be 3 inches rather than 4.5 inches.

Mr. McDermott asked for a motion to accept 4B and 4C recommendations. The motion was made by Mr. Tolmach and seconded by Mr. Sisto. The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Absent</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Anthony Mastrangelo	<u>Aye</u>
Arthur Singer	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

Mr. McDermott asked for a a motion to refer this project for administrative review. The motion was made by Mr. Brunner and seconded by Mr. Tolmach. The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Absent</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Anthony Mastrangelo	<u>Aye</u>
Arthur Singer	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

- **Hilltop Estates (Kent Development Corp), Peckslip Road, Kent, NY; TM: 12.-1-38 & 42 (Public Hearing)**

Mr. McDermott asked for a motion to open the Public Hearing. The motion was made by Mr. Brunner and seconded by Mr. Sisto. The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Absent</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Anthony Mastrangelo	<u>Aye</u>
Arthur Singer	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

Mr. John Watson represented Esposito Builders and Mr. Doug Esposito, the owner of the property, was in the audience. This property consists of 48.5 acres in the northern end of the town of Kent. There is a R-40 zone on the west side and the IOC zone is on the east side. The applicant proposes to subdivide 11 acre lots with frontage on Route 52 to include everything in the IOC zone. The balance of the property would have one stand alone lot for a house off of Peckslip Road and nine lots, approximately one to two acres, off of a new subdivision road to be a Town road. No waivers or variances were being requested or needed. There will be open roadside swales for drainage and

stormwater discharge outlets into the wetlands. Soil testing has been done for the Health Department and the DEP for the septic systems.

This project was before the Planning Board 6-8 years ago with a different engineer; the plans were for a 14 lot subdivision and some testing was done at that time. Since then the Town Code has changed and Insite Engineering has modified the plans accordingly and instead of 14 lots there are now 11 lots.

Ms. Ruth Kennedy asked where the entrance road will be located. Mr. Watson said that it will be located next to a red house. She said the road is very dangerous and asked if improvements would be made. John Watson said that boulders and trees would be removed to provide adequate site distance. Mr. McDermott suggested that she contact the Highway Supervisor with her concerns.

Mr. Steve Hueber and Ms. Elizabeth Jamison, the owner of the property, of 56 Peckslip Road asked to be heard and they were concerned about the water wells and runoff. Mr. Watson said that all of the water drains off of the high point and the plans will force all the grading to pull the water forward and they will see a reduction in runoff. Mr. Hueber asked about rain gardens and Mr. Watson said a full infiltration basin will be placed at the bottom of the property and will be eliminating the rain gardens. Mr. Watson said the Health Department will require a test well to be dug, drilled and tested. He said that they can include neighboring properties in the testing and will monitor their wells.

Mr. Curt Fuchs, 174 Church Hill Road, had concerns about the lot sizes and water coming off of the hill that will flow into the pond at the bottom. He asked who would maintain the pond after the project is completed. Mr. Fuchs said he is concerned about the impact on trees on his property. Mr. Watson said that the Town of Kent will take over the road and maintain the stormwater system.

Neil Wilson's Comments (memo attached)

Mr. Wilson recommended that the Planning Board take no action and adjourn the Public Hearing and reopen it at the March meeting. He mentioned the applicant had discussed donating some of the property to the Town for recreational purposes, which is something that the Town Board would need to discuss. He said if/when the road was dedicated by the Town, easements may be necessary and would accept responsibility of maintaining the ponds. He said he met with the Supervisor previously to discuss this and it would be on the Town Board agenda on March 18, 2014, which he would be attending. Regarding the length of the cul-de-sac, he stated that the Lake Carmel Fire Department had recommended that a 30,000 gallon water tank be installed in the center of this development for fire fighting purposes and he deferred to Bill Walters, Lake Carmel Fire Chief, in this matter. Mr. Wilson noted for the record that the original 14 lot layout previously submitted did not show the commercial piece of property and it would be carved out as a place holder and is not part of this application.

Mr. McDermott asked for a motion to adjourn the Public Hearing until the March meeting. The motion was made by Mr. Philip Tolmach and seconded by Mr. George Brunner. The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Absent</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Anthony Mastrangelo	<u>Aye</u>
Arthur Singer	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

Mr. McDermott asked for a motion to refer the disposition of a piece of the property to the Town Board for their discussion on March 18, 2014. The motion was made by Mr. Brunner and seconded by Mr. Sisto. The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Absent</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Anthony Mastrangelo	<u>Aye</u>
Arthur Singer	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

Bruce Barber's Comments (memo attached)

Mr. Bruce Barber said that the applicant supplied satisfactory responses to his prior environmental issues and noted that the wetland validation block executed by the DEC on the new plans encompassed the wetlands on lots 38 and 42. The application received a DEC jurisdiction of determination from the DEP regarding a potential watercourse on the property and he deferred SEQR issues with regard to the lot line adjustment to the Town Planner and the applicant would like to do soil testing on lot 38, which is DEC jurisdiction and they have been authorized by the DEC to proceed with the testing. The applicant requested a waiver for a tree survey within the

limits of disturbance and Bruce Barber had inspected the trees and has no problem recommending the waiver. There are five tree species which the US Fish and Wildlife reports have concerns about bat habitation and the applicant agreed to inspect and preserve the trees. The EAF needs to be updated. A prior intent of a conservation of easement has been discussed and, if this happens, the Board will need to see details. The applicant requested a modification to the street tree requirement and provided an alternative plan and Bruce Barber will work with them on that.

Mr. Watson said that his plan will keep the limit of disturbance to a minimum and that he would be happy to work with Bruce Barber.

Julie Mangarillo's Comments (memo attached)

Julie Mangarillo said the length of the cul-de-sac still needs to be determined. She also said that the applicant has taken credit in the SWPPP for tree planting and that there are specific requirements in the New York State Stormwater Management Design Manual and asked for clarification pertaining to the location, size and species of the trees and planting plan in respect to the stormwater management design. She asked for more information regarding the access to the sediment and infiltration basins and wants to ensure the septic system is protected from access vehicles. She said that she would discuss the possibility of placing a guiderail along the road with the Highway Supervisor.

• **Kent Materials (Mountain View), Route 52, Kent, NY; TM: 12.-1-44**

John Watson represented the applicants, George Coyne and Steve Caruso, who were also in attendance. This was a continuation of discussion pertaining to an amended site plan for Kent Materials.

Bruce Barber's Comments (memo attached)

Mr. Bruce Barber said the new applicants have proposed several changes to prior plans, with respect to those environmentally related. They have:

- Removed the salt/storage facility and associated parking and loading areas
- The duration from 2-3 years to 18-24 months
- A newer type of rock crushing equipment will be used, which will reduce noise levels
- They have provided a Phase 4 contingency plan to address site reclamation in the event construction on the site does not proceed after the mining operation is completed

Mr. Bruce Barber stated that the environmental impacts of the new plan are greatly reduced. He sent a memo regarding the Contingency Plan to the Planning Board and the applicants which had seven points and he expanded on the following elements:

- The landscaping plan recommended that trees be planted along Route 52, the landscaping will be guaranteed on the last day of mining for a year. Plants no longer viable will be replaced by the applicant within 30 days of notification by the Town.
- Language should be included to indicate repairs and removal of invasive species on the property identified by the town be completed within 30 days of written notification by the Town.
- Language should be included stating that the plan will be implemented as detailed in plan sheet CEC-1 entitled "Kent Materials Phase 4 Contingency Erosion Control Plan".
- The plan should also include language recommending that native meadow hydroseed mix would be approved by the Town.
- Language should be included that if an application for a building permit has not been obtained within 5 years from the date of cessation of mining the Town may require implementation of the planting plan of the Phase 4 contingency plan.

Mr. Singer asked what went wrong in the previous plan and why we were in a better position at the present time. Mr. Bruce Barber said that he thought the advantage of this plan was the reclamation plan proposed.

Julie Mangarillo's Comments (February 18, 2014 memo attached)

Ms. Mangarillo said that the applicant changed the temporary paved entrance from 200' to 100', but will still have the 100' stabilized construction entrance and she felt that this was acceptable because the haul roads during construction would be improved as well. Regarding geotechnical evaluation (page 4), there is a note on the drawings that a geotechnical engineer should be on site while preparing to do 1 ½ on 1 slope. She attached a table to her memo, and stated that in December 2013 after the reduction in the erosion control bond the Town of Kent held \$17,885.00 for the erosion control bond and retains \$57,300.00 for the stormwater bond. Insite Engineering provided revised bond amounts because of the slight difference in the plans prepared for Kent Materials six months ago and the new one being submitted at the present time. She recommended that the Planning Board reaffirm the current erosion control and stormwater bond for Phases 2 and 3 and that before the applicant proceeds to Phase 4 they provide an additional \$22,125.00 for the stormwater bond.

Neil Wilson's Comments (memo attached)

Mr. Wilson said he had incorporated the Negative Declaration with his Resolution and had amendments to propose to the Planning Board. He said he would be modifying Page 2 to show that the County had "approved the revised plans as submitted". He said that a year after the cessation of site mining the implementation of the contingency plan would take effect. He referred to Bruce Barber's memo and said he would delete paragraph 11 on page 5 (Phase 4 Contingency Plan) of his document.

- **Boccia Property, Beach Court, Kent, NY; TM: 21.-1-16**

Mr. Harry Nichols represented the applicant, who is proposing to build a five bedroom house on 22 acres located at the end of Beach Court. There is an access. An Erosion Control Plan is before the Planning Board, which indicates that less than 1 acre will be disturbed as part of the development.

Bruce Barber's Comments (memo attached)

Mr. Barber said that the project borders a lake and suggested the well be moved approximately 15 - 20' because it may be within 100' of a town wetland. The driveway may also be in the wetland buffer. Harry Nichols said that would not be a problem and that they would resubmit the plans to the Board of Health and NYS DEP as well as the Planning Board.

Julie Mangarillo's Comments (memo attached)

Ms. Mangarillo said that Maynard Road is shown between lots 16 and 1.2 and needed to know who owns that strip of land and recommended a new survey be done. Harry Nichols said he would take care of that. Additional information was requested regarding the erosion/sediment control, permit for the well and hydrologic soil groups for the soil. She did not recommend bond approval until the ownership of the road is determined and no action should be taken at the meeting.

- **Holmes Presbyterian Conference Center, 60 Denton Lake Road, Holmes, NY; TM: 2.-1-48-49**

Mr. Walter Sedovic and Jill Gotthelf, Sedovic Architects, represented the applicant and requested a reapproval of the original site plan (from 2010) by the Planning Board. The DEP signed off on the project pending final approval from the Board of Health on Tuesday, March 4, 2014 and all the material will be presented to the Planning Board as soon as possible. The applicant is prepared to begin construction on their property as soon as the Planning Board reapproves the plans. A total room count in the two new buildings has 16 and 24 rooms and there may be a request to swap 4 rooms from one building to the other. Nothing would change in the site plan approval or the septic system.

Mr. Singer asked for Mr. Sedovic to explain the history of the project to the new Planning Board members. Mr. Sedovic said that Holmes Presbyterian is dedicated to spiritualism, environmental stewardship education to young people in a natural setting and was consolidated with several other camps in the 1970's with a total acreage of 515 acres. Agape Building 1 is on top of a rise of about 900' and Agape 2 and 3 are new buildings that will be devoted to some new programs anticipated 365 days a year. These projects are green, sustainable and grow out of the hillside and do not interfere with stormwater runoff. Mr. McDermott asked what type of metrics are being utilized in benchmarking the camp. Mr. Sedovic said that clean energy systems, cradle-to-cradle programs, extracting as much raw material from the site and leaving it on site, looking for transportation systems that allow for efficient use of vehicles and reduction of gas-powered vehicles, maximizing breezes, natural shading, ventilation, orientation to views would be utilized.

Mr. Wilson confirmed that the original site plan has not changed from 2010 and asked for revision dates to support this. His Resolution has all the dates as well.

Mr. Singer had questions about the parking area, which contained fill from the Town, and asked if it was still an issue. Mr. Sedovek said that the fill was tested and found that it was not contaminated. Mr. Singer asked if the Fire Department needed to do a new review of the property. Bill Walters, Lake Carmel Fire Department Chief, said a dry hydrant has been put in the lake and that the previous inspection had issues which had been worked out.

Neil Wilson's Comments (Resolution attached)

Mr. Wilson said his Resolution was for reapproval of the project with changes discussed with regard to the changed sheets. This new approval will be valid for a year and he recommended reaffirmation of the Negative Declaration and Site Plan of 2010.

Mr. McDermott asked for a motion to adopt Neil Wilson's Resolution for the Holmes Presbyterian Conference Center. The motion was made by Mr. Brunner and seconded by Mr. Tolmach. The roll call vote was as follows:

Mike McDermott	<u>Aye</u>
Janis Bolbrock	<u>Absent</u>
George Brunner	<u>Aye</u>
Dennis Lowes	<u>Aye</u>
Anthony Mastrangelo	<u>Aye</u>
Arthur Singer	<u>Aye</u>
Charles Sisto	<u>Aye</u>
Philip Tolmach	<u>Aye</u>
Glenna Wright	<u>Absent</u>

The motion carried.

Permit Applications Review (Applicants attendance not required/Workshop Discussion):

- Harris Property
669 Gipsy Trail Road, Kent, NY
TM: 21.18-1-32
Erosion Control/
Driveway Waiver
Status Report

Completed, to be signed by the Chairman
- Frangel Realty
Route 52, Carmel, NY
TM: 33.48-1-6
Erosion Control/
Amend Site Plan/Sewer Upgrade
Status Report

Waiting for Town Board to approval of the sewer district
- Scott Frey (Zappolo Property)
Bowen Road, Kent, NY
TM: 22.-1-24
Erosion Control/
Wetland Permit
Status Report

Neil Wilson working with Tim Curtiss
- Fichter (Nolan)
Beach Court, Kent, NY
TM: 21.13-1-25
Erosion Control Plan/
Wetland Permit &
& Driveway Variance
Status Report

Completed, to be signed by the Chairman
- Creative Kids (was Kollevoll Realty)
91 Ludingtonville, Kent, NY
TM: 22.-2-35
Change of Use
Status Report

Completed, to be signed by the Chairman

Mr. McDermott asked for a motion to adjourn at 10:45 PM. The motion to adjourn was made by Mr. Tolmach and seconded by Ms. Wright. The motion carried.

Respectfully Submitted,



Vera Patterson
Planning Board Secretary

cc: Planning Board Members
Building Inspector
Town Clerk