

A Planning Meeting was held on Monday, February 2, 2009 at 7:00 pm in the Tannersville Village Hall.

Present: Lee McGunngle, Mayor  
Linda Kline, Trustee  
Gregory Landers, Trustee  
Anthony Lucido, Trustee (absent)  
Mary Sue Timpson, Trustee  
Mark Hyer, Planning Administrator  
Catherine Palmieri, Deputy Clerk

Also present: Howard Bates, Mary Beth Bianconi, Brian Byrne, John Donato, Michael Lockwood, Ellen Manfredi, Ed Nihill, Jeff Prince, Joseph Vanucchi

The Mayor opened the meeting with the Pledge of Allegiance and turned the meeting over to Mary Beth Bianconi of Delaware Engineering for a brief review of the Scoping process before **Adoption of the CC Lots Scoping Document**. Ms. Bianconi stated that the Scoping Document was put together by the Applicant originally and is basically a table of contents. It does not answer the questions but it asks them. We received the Document in December initially and it went out for public review by all the agencies involved: DOH, DEC, NYC DEP etc. This Board also reviewed it in conjunction with the Planning Administrator, Mark Hyer. There was a public comment period. Ms. Bianconi referred to a memo in front of the Board this evening which she prepared and which summarizes the different comments.

After this document is adopted, a final version will be prepared. The Village will have copies for people to look at and copies will be sent to the Applicant and the involved agencies. It becomes sort of a guide for what we do in the next step when the Applicant provides a Draft Environmental Impact Statement.

Ms. Bianconi continued that the document does meet the statutory requirements and the Board has to be satisfied that it meets the requirements of the Village, the residents and the regulatory agencies. This is not the last time that the public has an opportunity to comment. The public will have the opportunity to read through the studies and look at the summaries of impact, traffic and other issues and make comments at that time. That will be another public process where documents will be made available. The EIS will have to be on a website and people can come to the Village Hall to see it. A public hearing will follow.

Mr. Hyer asked Ms. Bianconi if the Board adopts the Scoping Document tonight, will the burden then be on the Applicant to devise a DEIS for the Board to review. Ms. Bianconi replied that that is the case.

Mr. Brian Byrne asked whether the subject of the entrance will be taken up in the future. He was assured that the subject will be gone over thoroughly in regard to the number of cars in and out as well as access issues.

Trustee Timpson asked about snow removal. Ms. Bianconi responded that there is a section in the document that requires the Applicant to discuss maintenance of the site. The issues of road maintenance, snow plowing and all the infrastructure have to be covered. This document asks the question 'how do you propose to do it.' The Applicant

has to respond back with something that says ‘this is what we propose to do.’ It could be an HOA that takes care of it. In some cases the Applicant may propose that the Village take it over. It has to be evaluated.

The Mayor asked if there was a motion to **adopt the Scoping Document**. Trustee Kline made a motion to **adopt the Scoping Document as presented**. Trustee Landers seconded the motion. All in favor, motion carried.

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**Fairway Commons—Subdivision Plat Update:** Howard Bates, engineer for the project, indicated that he and the Applicant, Mr. Nihill, had nothing to submit this evening.

Mr. Hyer had a question for Mr. Bates as follows: “Regarding the laterals for the three approved Town Houses, do they go directly into the DEP sewer line separately? Do you have three separate hook-ups, or do they join one line and then hook up?” Mr. Bates replied “The existing three units join into one line outside the building and there is one hook-up, one connection. It will be the same for the three proposed buildings.”

Mr. Hyer explained that he just met with Ms. Bianconi to clarify the issue of Transportation Corporations and she explained the construct as follows: if there are laterals coming out of units joining into one line and then going into a Municipal Sewer System, that is going to require a Transportation Corporation. If the lateral goes directly from the residential unit to the sewer line as a separate hook-up, then it does not require a Transportation Corporation. Mr. Hyer asked Ms. Bianconi if he described it correctly. She said it was correct as stated.

The Mayor asked Mr. Bates if there is any way for him to run three lines from the three units into the sewer main as separate hook-ups. Mr. Bates said he had several questions but the bottom line is that it could be done but would probably be difficult. The Mayor went on to say that the Village’s initial stand with our Attorney is that the Village is not going to go into Transportation Corporations mainly because we are not setting any precedent that the Village of Tannersville owns, maintains or operates any main or system of pipes in the Village of Tannersville. The residents are responsible from their dwelling to the lateral and/or main in the street. The Mayor said that is his current stand and it is also the agreement with the Village Attorney.

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**DONATO/ Train House—Site Plan Review—DOT Update:** Mr. Donato and his engineer, Michael Lockwood, came forward. Mr. Lockwood distributed copies of the map to the Board. Mr. Hyer stated that the 239 Review was approved by default by Greene County, and there is a pending letter from the DOH which does not show compliance but he did not think it affects the Site Plan.

Mr. Hyer referred to a letter of November 28, 2008 (point 4) from DOT in which they talked about having received complaints regarding drainage issues along a swale running along the west boundary of the property. Mr. Donato indicated that he believes this has been dealt with. Mr. Hyer suggested that the building inspector could be consulted regarding the points brought up by the DOT.

Mr. Hyer mentioned issues that were brought up in the minutes of the Public Hearing held May 5, 2008. A neighbor complained about noise from the property and Mr. Donato agreed to put up a 5 foot solid wood fence with vegetation in the back. Mr. Lockwood said that they are putting up a 6 foot high privacy fence and 7 evergreen trees as per the Board's recommendation. Mr. Hyer continued that another issue had been smoke emitted by a wood burning stove. Mr. Donato agreed to install the other half of the smokestack and a catalytic converter at the request of the building inspector, Dominick Caropreso. These things have apparently taken care of the offensive smoke. The Mayor requested that a letter be sent to the Medical Center to be sure the problem was taken care of. Another issue brought up at the Public Hearing by a neighbor was offensive language coming from the property. Mr. Donato said he has dealt with this issue by making it mandatory that a security guard be present for all proms and graduations held during April, May and June.

Mr. Hyer asked the engineer, Mr. Lockwood, to point out to the Board what is being proposed to be built new on the site. Mr. Lockwood replied that Mr. Donato is proposing to build a partition at the other end of the metal building. He is also proposing a wood constructed building in the back for storage purposes (not to store wood). Mr. Lockwood pointed out, in response to Trustee Timpson's question, that one building will be used for the storage of wood. There will be a two-story office building for Mr. Donato's use, built on piers, as well as a two-story structure which will be Mr. Donato's residence.

Mr. Hyer said, in summary, under SEQR the Board can vote for an unlisted action with negative or positive declaration. A negative declaration can be contingent upon a response from Dr. Schneider's office that there are no continuing smoke problems. The Site Plan approval can be contingent upon the other conditions raised that should be noted on the Site Plan (the fence, vegetation, drainage/swale).

Trustee Landers asked how far is the proposed canopy roof from the property line? As there needs to be a 20 foot setback, a variance may be required. After discussion, it was determined that a variance would be required from the Zoning Board of Appeals.

The Mayor said let the record state that this is an Unlisted Action under SEQR and he made a motion for a Negative Declaration contingent upon:

- 1) assurance from the Mountaintop Medical Center that there has been no further smoke coming from Mr. Donato's wood burning stove the past six months,
- 2) a detailed study of the drainage situation as requested by DOT,
- 3) ZBA approval of the proposed canopy roof or its relocation so it is no longer within 20 feet of the neighbor's property line.

The motion was seconded by Trustee Timpson. All in favor, motion carried.

The Mayor made a motion for Site Plan approval with the above listed conditions. Trustee Timpson seconded the motion. All in favor, motion carried.

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**Sketch Plan for Subdivision—Gazoorian:** Joseph Vanucchi is representing Carli Gazoorian. Mr. Vanucchi stated that the land is comprised of 5 ½ acres and 2 of the acres are in the Town. Mr. Hyer stated that what is needed is a Coordinated Review with the Town Planning Board. Mr. Vanucchi continued that the land is on County Route 16, on the same side of the road as Trailhead Village. Ms. Gazoorian and her mother own the 5 ½ acres with the house already existing. They want to cut the house out which would leave a .7 acre parcel and there would be a 50 foot strip owned by Lot 2. There would remain 4.88 acres. No encroachment would be created.

The Mayor said for the record it is an Unlisted Action under SEQR and we are going to do a Coordinated Review with the Town of Hunter. We can schedule a Public Hearing for our next Planning Board Meeting.

Mr. Hyer asked Mr. Vanucchi to get it on the Town's agenda for tomorrow night's meeting. They have 30 days in which to respond. That is all we can do tonight.

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**Privilege of the Floor:** The Mayor said he met with engineers to discuss CC Lots and water funding opportunities. The Mayor encouraged the Board to read the letters and emails and call Fraser and Delaware for clarification. The cut-off date for the application for funding is March 15<sup>th</sup>.

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Trustee Landers said the 2<sup>nd</sup> bid came in on the fuel tank. Still waiting on the 3<sup>rd</sup> quote. Mayor said put it on agenda for the regular Board Meeting. We will check the line item and see how much is available.

Mr. Hyer proposed calling Roger Murman and asking him to send the Draft Zoning Document for review by the Board. The Mayor said please do so and, after the Board is comfortable with the changes, then we can go to a Public Hearing.

Trustee Landers made a motion to approve the minutes of the January 12, 2009 Planning Board Meeting. Trustee Timpson seconded. All in favor, motion carried.

Mayor made motion to adjourn. Trustee Kline seconded. All in favor, motion carried.

