

A Scoping Session was held for CC Lots on Monday, January 12, 2009 at 6:00 pm in the Tannersville Village Hall followed by Planning Meeting

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

Also present: Howard Bates, Mary Beth Bianconi, Jim Planck, Jeff Prince, Roy Silver

The Mayor opened the **Scoping Session (Public Information Meeting) for CC Lots** with the Pledge of Allegiance. He then turned the proceeding over to Howard Bates of Hunter Engineering, the Engineer for the Project which is owned by Argent Catskill LLC of New York City. Mr. Bates identified Jeff Price as the representative for the owner. The name CC Lots comes from the fact that a Civil Conservation Corps Camp was located on the property in the mid-1930's. Mr. Bates began a Power Point presentation beginning with a photograph of what the Camp looked like in its day. The project will consist of 84 single home building lots, a meeting hall, a pavilion with two swimming pools, parking, etc. Succeeding slides showed the site layout: entrances on Spruce Street and Clum Hill Road, Stream Crossing, etc. Fire hydrants will be placed at 200 foot maximum intervals along proposed roads.

Trustee Lucido asked why do you want to connect to the Village water system? Mr. Bates responded that the Department of Health is strongly recommending doing so because, in Mr. Bates opinion, the DOH does not want to have to monitor and regulate an additional system when there is one so close by. Mr. Bates added that seems to be the policy the DOH is also encouraging in Windham. Trustee Landers commented that the DOH is telling the Village they do not have the water to give the project. Mr. Bates said that is why they are looking at getting a second well. Based on the DOH's letter received last January and the letter which came in from them recently, Mr. Bates believes that the DOH is looking for them to provide for redundancy for the project as well as for hooking up to the Village system. Trustee Landers asked if the Village would then be responsible for the project's well and system. Mr. Bates replied that, as the engineer planning for his client, they would like to develop and build the system and turn it over to the Village to own and operate. But, Mr. Bates continued, it has yet to be determined if that is what is going to happen or if it would be something in the middle.

The Mayor pointed out that in their letter of December 19, 2008, the DOH states ... "The Village is currently unable to meet the existing peak demand with the largest well out of service, therefore, this office has serious concerns about the Village's ability to provide water to the proposed development." Mary Beth Bianconi explained what this means is that a regulatory standard exists whereby the average day demand for water has to be able to be maintained with the largest producing well out of service. It is a mathematical calculation.

Howard Bates added that the purpose of this meeting is to get comments on the Draft Scoping Document for the proposed DEIS (Draft Environmental Impact Statement). There is a draft of the Scoping Document available for review. Comments are invited tonight or in writing up to and including January 20, 2009.

The Mayor asked Ms. Bianconi if she would review what the Scoping Document is. Ms. Bianconi said the Scope is basically a fancy table of contents, and she read several of the subjects listed in the document and talked about some of them. She said that the New York State SEQR Law gives a list of things which have to be looked at. Ms. Bianconi said our purpose tonight is to be sure that we include in the Scoping Document everything that we want to see in the DEIS.

Mr. Hyer had questions for Ms. Bianconi:

1. Addressing the impact of utilities on the night sky viewshed, will this be covered in the EIS or in the Scoping Document? Ms. Bianconi replied that this would usually be addressed in the EIS itself under Visual Impact.

2. During the construction phase, would provision be made for the noise of dynamiting, dust, trucking of dirt and would it be covered in the EIS or the Scoping Document. Ms. Bianconi replied that there is a section in the Scoping Document on Construction Impact and you might want to beef up that section to be more descriptive of those issues. Mr. Hyer said he understands that this can be submitted at a later date in one or two sentences for inclusion. Ms. Bianconi said that is correct.

3. What assurance will the Village have that project will be completed if the Applicant decides to phase the project and, in addition to that, at what point in time does the Applicant have to declare whether he is going to do it in totality or phase it? If the Applicant starts the project and then wants to phase it, do they just come back to the Board and say so? Ms. Bianconi responded that with respect to SEQR, the Applicant has to decide if the project will be done in stages. As with any project, things change over time and you will have to make the best reasonable assessment and that is what gets evaluated. When the SEQR Process is concluded, you will go into a Site Plan Review and Subdivision Review. When you issue your Signing Statement for SEQR and issue your final Site Plan Subdivision, you will indicate whether this is for a phased project. There are cases where infrastructure is done all at one time and cases where there might be three or more phases. Each phase would be built with internal integrity so that if, for whatever reason, the other phases do not happen, you will have a functioning work. That is something you put as a condition in your final statement and future reviews would have to match up with that.

Mr. Hyer continued, if the Applicant were to go one-third up the mountain and then needed to stop due to financial or other circumstances, this would be Phase One. Would it be legal for the Village to ask the Applicant to now complete the cul-de-sac, scheduled for the end of the project, for the purpose of allowing access for emergency vehicles? Ms. Bianconi replied that when, during the preparation of the EIS, the Applicant should say they believe it will be a multiple phase project, the Board can then require that each phase have internal integrity. This would require them to change the Site Plan so that if the Applicant only builds Phase One, emergency vehicles will be able to get in and out. You may ask the Applicant to provide a Phase One plan showing internal integrity. The same goes for water and sewer which cannot hinge on some future action happening.

The Mayor asked if there was any **public comment**. Jim Planck asked whether snowplowing would be the responsibility of the homeowners association or the Village. Mr. Prince replied that it would be the responsibility of the homeowners. The Mayor asked Ms. Bianconi if she could elaborate on the issue. Ms. Bianconi said we always recommend a Transportation Corporation for large, privately owned sewer systems or a Homeowners Association for maintenance of roads and stormwater. If at any time in the future, for whatever reason, you end up taking it over, roads should be built to Village standards.

Trustee Landers asked Ms. Bianconi whether there is any way the Village could be forced to take it over as with a Transportation Corporation. Ms. Bianconi replied unfortunately, yes, because if any infrastructure built by anybody in your community is abandoned, the people who live there are your constituents and taxpayers.

The Mayor asked if there were any other comments from the public. There were none. Ms. Bianconi said she would encourage the public to put any comments they might have in writing and to submit them to Robin at the Village Clerk's office on or before January 20. Board Members can put their comments in writing as well. After the close of the comment period on the 20<sup>th</sup>, assuming that you receive more letters from the agencies, put all those things together, go through the Scoping Document and all the comments. Recommendations will be incorporated into the Scoping Document. The next step will be for the Board to review them and the Final Scoping Document will be prepared and adopted.

Mr. Hyer questioned Ms. Bianconi regarding infrastructure and financial security for the Village. Ms. Bianconi replied that if a multiple phase project is proposed, then it will be documented that each phase is built to Village standards and that each stage has integrity. Mr. Hyer asked can completion of the project be bonded. Ms. Bianconi replied that there are conditions under which completion can be bonded and she went into some detail.

After discussion, the Mayor made a motion to adjourn the Scoping Session. Trustee Landers seconded the motion. All in favor, motion carried.

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The Mayor made a motion to open the Planning Workshop Meeting. Trustee Kline seconded the motion. All in favor, motion carried.

**Fairway Commons – Subdivision Map**: Mr. Hyer reviewed as follows: basically this has been a pending application. Mr. Nihill has made changes on the map which we are going to address tonight. The first set of townhouses were completed and approved, and I believe Mr. Nihill has a sewer hook-up for the existing three townhouse buildings. Mr. Nihill said that is correct. As for the second set of townhouses, Mr. Nihill has a pending building permit for a garage and, while he is not withdrawing that permit, he has expressed a desire to build three townhouses on that location, facing in the opposite direction. That map is in front of the Board tonight. Mr. Hyer reminded the

Board that a townhouse is a subdivision. You own the land under the building and that requires a survey and a deed of each lot. Mr. Nihill said that has been done by Vanucchi Associates. Mr. Hyer noted that we do not have that in front of us.

Mr. Hyer asked Mr. Nihill if he currently has water permits for the three proposed buildings. The answer was no. Mr. Hyer asked Mr. Nihill if he currently has sewer hook-ups for the proposed buildings. His engineer, Howard Bates, replied that the applications have been submitted to DEP.

Discussion continued. Mr. Hyer said what we are doing tonight is not really Site Plan Review because while it is a plan of a site, it is really a Sketch Plan for a Subdivision. The following need to be added to the map:

1. We need Metes and Bounds descriptions on all the buildings because this is a subdivision.
2. Exterior lights need to be shown on the map. We know that they are going to be 'down lights' and half shielded.
3. Roads will be as stated in the Subdivision Law. Any road accessing the ingress and egress is a private subdivision road and has to be shown on the map.
4. All exterior foliage and vegetation is to be shown on the map. If there is a vegetation line between the applicant and a neighbor, it should say how long, high and thick it is. Mr. Hyer said also needed is a straight line of vegetation down the property line between the applicant and the Village. Mr. Nihill said this has already been done. After the last meeting on (October 6, 2008), he purchased 26 blue spruce trees and planted them. Mr. Bates said he was not aware that showing them on the map was a requirement but he will do so now.
5. Mr. Hyer said that the map should also reflect the fact that the dumpster is to be bear-proof.

Regarding emergency turn-around, Mr. Bates said we previously discussed that fire trucks could handle the buildings from the street, and it is believed that an ambulance could do a K-turn.

Trustee Timpson asked Mr. Bates if the road that will be used to drive into the parking area has yet to be built or is it the one that's kind of already there. Mr. Bates replied that it still has to be constructed.

Mr. Hyer said he wants to check the subdivision regulations for the width of a road in a subdivision. Mr. Nihill indicated his willingness to change anything he has to in order to conform to the regulations.

Mr. Hyer said to the Mayor that he could approve the Sketch Plan for the Subdivision before the Board this evening, with the stated conditions, and the Mayor's reviewing of the Final Map and making sure that all of tonight's conditions are shown on the map. Mr. Hyer said that there will not need to be another meeting for Sketch Plan. Trustee Lucido made a motion that the Sketch Plan for the Subdivision be accepted with the stated conditions. Trustee Landers seconded the motion. All in favor, motion carried.

During discussion it was stated that the Final Subdivision Map will most likely be submitted at the Planning Meeting on February 2, 2009, with a Public Hearing tentatively scheduled for March 2, 2009.

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The following items on the Agenda for this evening's meeting were not dealt with as the applicants/participants did not attend:

Site Plan Review: DOT update on Donovan

Site Plan Review: Donato

Preliminary Lot Line Adjustment – Gazoorian

Trailhead Village – Update on Transportation Corp. Status

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**Approval of Planning Minutes of December 1, 2008.** Trustee Kline made a motion to approve the minutes as submitted. Trustee Landers seconded the motion. All in favor, motion carried.

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**Discussion of Village Hall Furnace:** Trustee Landers described the problem with the furnace(s). If both furnaces try to go on at the same time, there is a malfunctioning valve which does not allow this to happen. If one goes on at a time, apparently the valve can handle it. The suggestion by the supplier was to dig the tanks up and replace them. The amount quoted for the work is \$3800. Trustees Landers and Lucido feel the job could be done for about half that amount. The Mayor suggested calling around for other estimates and it can be taken up at the next meeting.

Trustee Timpson said it might be possible for the Village to obtain a better rate for the cost of oil.

It was suggested to bring up the agreement with Onteora Park at the next meeting.

Trustee Landers made a motion to adjourn the meeting. Trustee Timpson seconded the motion. All in favor, motion carried.

Minutes submitted by Catherine Palmieri, Deputy Clerk

