



**Hillsdale Planning Board Minutes
August 10, 2015**

Present: Deborah Bowen; Bud Gardner; Vivian deGeorges, Secretary; Hank Henward, Chairman; Patti Rohrlich; Mark Barbato

Excused: Richard Freiman; Ellen Levy

Also Present: Jeff Paige; Gretchen Stevens; Ruth Dufault; Amelia Sydlosky; Paul Amish; Matthew White

Public Hearing for Matt White's Chef Shop, Patrick Prendergast representing

Mr. Henward opened the Public Hearing at 7:00PM

Mr. Prendergast gave a recap description of the project for the Chef Shop, showing maps and drawings, showing before and after plans, where the driveway will be, the parking area in the back, etc. Mr. Prendergast also showed new lighting details added to the drawings. He also said that he got DOT comments which asked for grading on the catch basin, inquired as to how many feet from the mile marker the driveway entrance is, and told them to use 6' curved tapers instead of 4' to taper the entrance. He explained that Mr. White has to do the driveway and sidewalk regardless of whether it will be ripped up next year when the sidewalk project is begun. The County has reviewed this and recommended approval and handed it off to DOT.

Mr. Paige asked Mr. Prendergast to please explain the usage of the two buildings to the audience.

Mr. Prendergast said that the larger house will be a high-end kitchen shop and the other building probably rented out to rental business. Mr. Paige asked if there would be apartments and Mr. Prendergast said no, apartments are not in the plans and have never been in my plans.

Ms. Sydlosky showed on the map that her home, since 1983, is next to the driveway of the smaller building. She said that the light poles will be 12' high and that her bedroom window is 12' high. This will bring noise and light into her space, her bedroom. She's also concerned about spill-off from the driveway spilling onto her property. There's already a light on that front porch which is glaring and very intense already. If the other lights are like that, it's not a good thing. She said that this is her refuge and she doesn't feel like it's that any more.



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Mr. White already told her there would be a 6' fence which she hasn't seen a picture of yet. She would like him to consider a fence that can mitigate sound, and that the lights be shaded. There will be light and sound pollution.

Mr. Henward asked for any other comments. Jeff Paige - the original plan for the parking was to use B&G's parking for an exit. The trucks coming in there without that exit will need to use a three-point turn. The amount of parking spaces provided really isn't enough for the usage. I don't think what he's done with the lot is appropriate for what he's planning.

Any further comments? Paul Amish from Hillsdale General Store offered that the other lot across the street that can be used, at the General Store. There was discussion about the driveway, parking and usage of these buildings in the future.

Mr. Prendergast - the ZBA gave approval for the usage being proposed here for these buildings. As far as the parking goes, the town of Hillsdale doesn't specify a number of spaces per square foot of retail space or anything in the Comprehensive Plan. Mr. White can have customers use the municipal lot, the General Store lot, or double-park in the parking lot. As for runoff, the driveway will have a swale on either side, a drainage dish, so the water won't be able to go across into the neighboring yard.

Mr. Henward asked what is the nature of the fence between this lot and Amelia's (Ms. Sydlosky's) property? Mr. Prendergast said I don't know about what Matthew is planning for the fence. There's existing wooden fence in the back, but I have no information about the fence along the side between his property and Amelia's. Mr. White then said the fence will be wooden, like the fence in the back of the property. How high, Mr. Henward asked? Mr. White - about 5', and to Amelia, you're welcome to put up your own fence. Ms. Sydlosky said I feel nothing is being done to protect my home.

Mr. Henward asked what the proposed business hours are, and Mr. White said 10-6 every day except Tuesday, nothing at night except for perhaps an occasional event, but not on a regular



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basis. There will be very little traffic after 3PM. As is now shown in Hillsdale, the shopping traffic peters out by 3 or so.

Mr. Henward - what's happening about paving? Is it Item 4 or blacktop? Mr. Prendergast said the DOT approved the overall plan and will probably have it in writing by the end of the week.

Ms. Rohrlich - the lighting is at 12' and the light poles are 12' and Amelia is concerned to which Mr. White answered that the lighting is two lights along the back of the property and they are LED lights which face down, not out. He added that if you look across the street at Crossroads, you'll see the lights are soft and focus down onto the parking light - they're not bright.

Ms. Sydlosky asked if he is planning to take down any trees and Mr. White answered no.

Mr. Henward asked what about the light on the front porch? Ms. Sydlosky said that the light is so bright she can see it from her yard. Mr. White said that they are going to put an addition to the back of the little house which will block the porch light from her view.

Mr. Paige - do you plan on putting apartments on top? Mr. White, no. It's an 1850 house and I'd like to restore it to its original condition. Mr. Paige and Mr. White discussing parking for later on for the smaller building. Mr. White said that a retail business has a different pattern than a restaurant. We don't have a lot of people coming in and staying for a long time. We're adding a lot of parking to the Town.

Mr. Henward said that the Planning Board will decide if it's enough parking. We don't rule how many curb cuts go onto Rt. 23 that's the DOT's job. Apparently they've approved it. We've already submitted this to the County so we're mandated to wait for the written approval of the DOT before we can give our approval.

Mr. White - this is a State road, 18 wheelers barrel down all day, it's not a quiet rural road. It was built as a commercial traffic road in the 18th century. We've restored a building that was



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falling down. Yes, more businesses mean more traffic, but every business in Hillsdale is dying for more traffic as they're struggling. I want to help revitalize our town in a way that's appropriate for a rural town.

Ms. Rohrlich said that perhaps in the future there will be even more parking opening up, perhaps a real municipal parking lot. We have the Crossroads lot which has become our largest lot in town.

Mr. White - within a year or so we're going to have new sidewalks which will link our town and become more of a walking town so people can use our lots or Bill Sullivan's lot and walk between businesses. It's part of the master plan which is a real plus. I picture this project as being a piece of the puzzle of the town that's welcome to residents and tourists.

Mr. Henward asked for any further public comments. There were none.

Mr. Henward closed the Public Hearing at 7:43 and opened the PB meeting.

Matt White's HGS Home Store located at 2635 Rt. 23, Hillsdale, NY Tax ID 145.4-1-17 and 18

Mr. Henward asked Mr. Prendergast when he plans on getting the DOT letter and Mr. Prendergast said by the end of next week. Mr. Henward said that the Planning Board can give a conditional approval till we get the DOT letter in writing. Are there any other comments from the Board? There weren't and Mr. Henward asked for a motion for a conditional approval.

Mr. Gardner made a motion to approve this site plan on condition of: receipt of the DOT letter approving the driveway and design specs on the fence between the smaller home and Ms. Sydlosky's. Ms. Rohrlich seconded the motion and the vote was all ayes.



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John Colquhoun 914-217-8805 Tax ID 126.-2-20.112 and 126.-2-20.12 Mitchell St. site plan review as well as Lot Line adjustment in steep slope/ridgeline; Nick Demos, Engineer. Mr. Colquhoun would like to make a building site on the second of the two parcels he owns. His house is on one of the two lots. Jeff Plass, surveyor.

Mr. Colquhoun explained that he is trying to use the existing road which is in a relatively flat section for the new driveway. He said he has spoken to the Fire Department and they had no reservations. The road is shared among a couple of properties. He's trying to keep them together as much as possible and then split them at the end to the two properties.

Mr. Demos - we have an existing sub-division, from many years ago. When it was subdivided, everyone had the same shared driveways up to 5 parcels where it meets Mitchell Rd. Lot one splits off at the bottom of the hill, then another to the right. Then there are three unbuilt parcels at the top of the hill. Mr. Colquhoun bought two of the three parcels, so we want to use that existing driveway which we want to split to go into Mr. Colquhoun's two lots. The two issues are the existing driveway and the part that splits off. Mr. Briggs has been to the site twice - he asked if they could take about 3' off the top of the rise, and it would be a place for the trucks to rest. We didn't topo the front part but we plan to use more drainage ditches at that point. Once we reach the top of the hill between the unused parcel and Mr. Colquhoun's two parcels, there is a 700' strip of the driveway up the hill. It's 18%, and there will be fire truck turnouts at less than 500' intervals because there were convenient areas at those points.

Mr. Demos continued that for the upper lot, lot two, there are 10%-15% steps up to the house. We used a skidder path for the top part. Mr. Colquhoun added that a maple syrup farm truck goes up there now.

More discussion about the driveway and the lots it serves. Mr. Demos said that not wanting to disturb the hill more to make the driveway go back and forth to lessen the slope, we want to use what's already there.



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Mr. Henward said that after meeting them on site, I said my best advice is to solve the driveway problem first before they spend money on anything else. We try to differentiate between an existing and a new driveway; none of them were improved beyond logging roads. The 30-year-old subdivision maps don't show them as driveways; they were dotted lines on the maps and those are the maps that were approved then. There were no driveways approved on those maps. The FD has reservations about the slope on this road. The town engineer advises me that we need to adhere to the town specs and the state driveway specs. Drainage is critical at all points on this road. It is more than likely that you will be disturbing more than an acre. You cannot be cutting and filling this driveway through any steep slope which rules out portions of this driveway. The FD wants me to know their concerns, to be sure that there are no stretches that they can't navigate. There shouldn't be more than a couple of hundred feet of steep slope. It's not good enough to have the top navigable - the whole thing has to be navigable. Mr. Henward concluded by saying that no driveway has ever been approved past the first existing house.

Mr. Colquhoun asked how the subdivision was approved without access? Mr. Henward said that the only thing approved was a shared right-of-way at the bottom. Discussion about original subdivision, Mr. Plass showing original subdivision map. The configuration of these right-of-ways were put in to do the subdivision. Mr. Henward said it's a right-of-way map, not a driveway map. No driveway was approved. We're now asking you to conform to the driveway regulations of the town and state. We want 10% and will make exceptions up to 15% as long as it conforms to town and state regulations.

Mr. Plass the town approved a subdivision. Don't they have some responsibility for approving a subdivision and now the parcel can't be reached?

Mr. Colquhoun the only possibility I see is to buy the other property to swing around, but that doesn't fix the bottom part.

Discussion over original subdivision map. How can a subdivision which implies buildable lots not have a way to get to them to build on?



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Ms. Rohrlich suggested that Mr. Colquhoun walk the whole length with Richard Briggs and see exactly what parts he says need fixing. Mr. Henward added that they should then mark all the places and see what you can do to mitigate the problems. After you talk to Richard then Jeff Plass and I can talk to the lawyers.

Dan Russell for small lot line adjustment tax ID 104.-1-07 Daniel Yonk-Jun Yuk

Received: app; check for \$165; letter allowing Dan to represent him; map, ag statement; short SEQRA statement; deed; title insurance.

Mr. Russell described 3 acres with a house to be separated from 8.9 acres, the remaining 5.9 acres to be merged with adjoining lands, also owned by the applicant. He wants to keep the land but not the house, and will probably be putting the 3 acres with the house on the market. He then showed aerial photos of the area.

Mr. Henward asked the Board and the CAC if they had any comments and they didn't. He then asked for a motion to approve this lot line adjustment.

Mr. Barbato made the motion and Mr. Gardner seconded. The vote was all ayes.

Mr. Henward then stamped and signed the maps.

CAC

Ms. Stephens presented Suzanne Warner as a candidate to join the CAC. Ms. Warner has been in public service, serving with the CIA, and in private practice as an attorney. Mr. Henward explained to Ms. Warner that the Planning Board uses the CAC extensively. We can't enforce laws we don't have so we need the CAC to look into some of the issues that come in front of the Board. Mr. Henward then asked for a motion to recommend Ms. Warner to the Town Board for approval as a member of the CAC.

Mr. Barbato made the motion, Mr. Gardner seconded it, and the vote was all ayes.



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Mr. Henward asked for a motion to adjourn the meeting.

Mr. Gardner made the motion and Ms. Rohrlich seconded. The vote was all ayes.

Mr. Henward adjourned the meeting at 9:35PM.

*There will be no September Planning Board meeting. The next meeting will be on Monday,
October 12 at 7:30PM.*