



Planning Board Minutes 1/9/23

Members Present:: Barbara Olsen Pascale, Chairperson, John Avenia, Mark Barbato, Richard Freiman, Bud Gardner, Brandon Lentine, Kyle McGraw,

Elizabeth Sheer, Planning Board Secretary, recorded the minutes

Others attending: Pat Prendergast, Nigel Shamash, Tucker McNamee, Joanna Virello, Gretchen Stevens, Amy Davidsen, and other members of the public

The meeting of the Planning Board was opened at 7:04

Barbara introduced Kyle McGraw as a new member of the Planning Board

John made a motion to accept the minutes of both 12/12/22. This was seconded by Bud

Aye: 6 No: 0

Decision: The minutes of 12/12/22 are accepted

Site Plan Review

Property: 6205 State Route 23

Applicant: Nigel Shamash

Nigel Shamash said that he owns the building just to the west of Town Hall. He would like to change parking so that there are more than 10 spaces. He would like to construct a building that will be 12' tall, and not visible from the street.

This would be a multi-family unit, for which he would like a special permit.

Mt. Shamash was asked what was in the space currently. There is a three unit building, built in 1890. It is now being renovated and should be completed by March 1. There will be change in use. There will be a lot of landscaping. He would like to build an ADA compliant extension of 2 or 3 units.

Barbara said that on the less than one acre of property, 6 unites is well in excess of the zoning regulations.

Mr. Shamash stated that one family lived in all 3 units of the currently existing building. The sewer system and infrastructure is there. There is a well, but another well probably will have to be dug.

He will put in asphalt paving for a parking lot. He has gotten a curb cut and there is no change of use from the Department of Transportation.

Mark said that the Board will need to see the letter from the Department of Transportation.

Barbara said that he would also need an application for a special use permit.

Richard wanted assurance that the Department of Transportation is OK with the new usage.

John mentioned that the Board requires two parking spaces per unit.

Kyle asked whether it would be a shared driveway with an easement.

Barbara said that there needed to be room for emergency vehicle access.

John pointed out that if the site were to be ADA compliant, parking should be close to the units in question.

Mr. Shamash said that he would be putting in an ADA compliant step.

John added that 6 units already exceeds the town's density requirements.

Barbara said that there are already 3 units there.

Mr. Shamash asked whether, if he got all the approvals, and there were a way to get 12 parking spaces, the Board would be willing to approve a 3rd unit.

Brandon said that because of the location, the visual is very important.

Mr. Shamash said that it would be below 14', and not visible from the street.

However, his aesthetic is northern European minimal, with a wood facade. John added that according to Hamlet code, 25% open space would be required.

Mr. Shamash asked again, informally, whether any board members would object to the project as long as there is a traffic design that makes it safe and affordable.

Kyle pointed out that having 6 units, rather than 5, would trigger the 25% open space rule.

Mr. Shamash replied that that was not a problem as long as it did not affect setbacks.

Decision: The Board needs to see Department of Transportation approval and a beefed up site plan. There will need to be public hearing on this application.

Site Plan Review

Property: Lockwood Road

Applicant: Tucker McNamee

At the last Board meeting, it was determined that a balloon test would be done to see whether the site was exempt.

Barbara opened the application by asking whether any board members thought the property was exempt.

Pat Prendergast presented the plans. This is a 20 acre site, recently subdivided. Mr. McNamee would like to build a house on the plateau. It is in the steep slope. According to Hillsdale's Local Law #6 of 2007 the driveway must be contiguous with 5000 sq. ft. if the slope is over 25%.

Most of the driveway, he said, is at a 10% grade with two fire truck pull-outs.

At the house site, the proposed building would clear 11,000 sq feet.

Barbara said that the topographical map shows that the house site would be at 1160", well into the ridge line.

Pat said that Mr. McNamee is proposing to leave as many trees as possible. He added that balloons were put up, and nobody could see them.

Barbara said that the crux of the matter is that with the drone footage, the balloons cannot be seen. When the site is cleared and there is a house there, it is a different matter, The balloon test is mentioned in the code to determine non-visibility, but generally, the board would like to see architectural drawings so that it can see what is going on.

Tucker McNamee said that the video was shot at 35', where there is nothing but tree tops. There are pine trees at the rear of the house. Second video was shot at 70'. From there, the corner of Lockwood and Texas Hill Road can be seen, as well as Route 23, by the diner. The proposed house will be 25'. There will be triple paned glass. The house plan is a general idea, not an exact blueprint.

A neighbor spoke up and said that this was a very sensitive site plan, and it seems as though Mr. McNamee complies with all the Ridge Line and Steep Slope rules. However, he is concerned about subsequent owners.

Richard said that it could be entered onto the deed, that the house is in a no-cut zone.

Barbara asked whether the Board agreed that they are not exempting the house from site plan review.

Richard suggested that Mr. McNamee put everything the board wants to see in a survey, and if that's there, and stays with the property, than the deed will be restricted.

Pat Prendergast suggested that a site plan approval be granted with contingencies.

Barbara again asked whether the Board was willing to propose this site as exempt.

There was no response.

She said that the applicant should move on with conditions to which he had already agreed in terms of cut zones and driveway restrictions. The driveway needs to be certified that the area of the steep slope through which it goes does not exceed 5000 sq. ft.

Gretchen pointed out that the town code is explicit that the measurement has to be done to existing contours.

There was some discussion on the validity of maps.

Gretchen said that the town map of the steep slope is casually drawn, but Pat Prendergast's maps are based on 2' contours which is very accurate.

There was further discussion about whether the driveway disturbance was greater than the 5000' allowable.

Gretchen provided more input from the perspective of the Conservation Advisory Council. The site is in the ridge line. There are problems with running a driveway up a steep slope. This is part of a 6000 acre contiguous forest. The CAC often brings up the fact that harm can be done to the forest by segmentation. A long driveway such as the one proposed could cause disturbance to wildlife. While the applicant may be technically compliant, there could still be harm done.

Barbara said that the board would need to vote on this project. She asked whether the Board thought that it wanted to see more interpretative data other than what has been already shown.

Discussion ensued. The majority of the board said that they were fine with the plan as it is.

Barbara said that the Board needs to see more extensive house plans. In addition, the Board will walk the property to view it and the proposed driveway, so that a decision could be reached at the February meeting.

Pat Prendergast said that he would draw up more specific house plans.

Amy Davidsen, a member of the public, asked when the Natural Resource Inventory is used.

Brandon replied that it is taken into consideration

Decision: The site plan review will be held over until the February meeting, after the Board has had a chance to walk the property.

Bud made a motion to adjourn, which was seconded by Brandon
The meeting adjourned at 9:21