



Planning Board Minutes 2/14/22

Members Present:: Barbara Olsen Pascale, Chairperson, John Avenia, Richard Freiman, Brandon Lenitne. Bud Gardner and Patti Rohrlich convened via Zoom, and Mark Barbato was absent.

Elizabeth Sheer, Planning Board Secretary, recorded the minutes
The meeting was held both live and over Zoom

Others attending: Andy Didio, Mark Bearak, Daniel Levy, Chuck Johnson, Joanna Virello, Norah Hayes and other members of the public.
Acceptance of the minutes of 1/17/22 were moved by Richard, seconded by Bud

Aye: 5 No: 0

Decision: motion carried to accept the January minutes

The meeting opened at 7:40

Site Plan Review

Property: Lockwood Road

Applicant : Timothy Bean represented by Andy Didio and Mark Bearak

This was a site plan dealing with a construction of a driveway. Andy Didio said there were some places where the driveway was steep, and that he had redesigned it to get a fuel driveway at 10%. A new path establishing a new grade, with some areas of fill and cuts was shown. The driveway is now meandering, with more of it coming in at an angle for an easier swing. A created shelf will be used as a driveway turnout. There will be a 10% grade all the way up., with a turnout on top of outcropping. Throughout, the engineers plans were meant to avoid steep slope with a good cut/fill balance.

There will be some tree clearing; all trees are marked and they are 6 inches or less.

Barbara then asked for a motion to approve.

The motion to approve the site plan with the newly designed driveway was made by Brandon, and seconded by Richard.

Aye: 5 No: 0

Decision: The partial site plan considering the driveway is approved

Informational Meeting

Property: Route 23 in the hamlet (no address yet)

Applicant: Daniel Levy

Mr. Levy presented this project as a mixed use site on 2.5 acres, with two buildings at the front containing several apartments, each with retail on the first floor. He designed three story buildings with 19 apartments, and his sense is that the community feels these buildings would be too massive.

Richard mentioned that at the last meeting, the

By creating many apartments, there will be parking issues. Maybe we should explore having some larger apartments so that they would require less parking spaces. .

Brandon pointed out that there is no on street parking on Route 23 If there are a lot of cars, other commercial spaces would have to absorb it. The town does want higher density, he said, but parking must be generous.

Then, said Richard, with 19 units, there would have to be at least 38 spaces for the residences alone.

Barbara then asked Daniel what he was proposing. The Board cannot approve a specific number of apartments demonstrating that sewer capacity and parking is going to be adequate. This is engineering stuff that the Board needs to see.

Richard said that the Board is more concerned with the specifics of the project than we are with the design.

Barbara said that it is up to the Board to approve the project. However, the Board will take into account what the Hamlet Committee has to say about the integration of the project into the town. At this point, unless there is an actual site plan,

John pointed out that the Zoning allows for 11 units.

Daniel said that there is no way to do that affordably. He asked whether he could get a larger number approved if the well, engineering in terms of water management, he would like to reserve the ability to build another building in the back.

Brandon wanted to address the well issue. Would this be a shallow well or dug down to the aquifer. This is the way to solve the problem of density. Parking is the bigger issue.

Barbara asked how the Board would see a path forward.

Richard said that the number of units is key, because nothing could be decided without it.

John said that a compelling reason to change the zoning laws to accommodate the project.

Daniel said that his most immediate problem is getting a 911 number, which he was told, he could not get until he knew how many addresses he was going to have. Without an agreement from the Planning Board, he said, he could not be

issued an address. Therefore, he said that he would like to make a request for 19 units, each with two parking spaces.

Barbara said that there needs to be an idea of what the units are going to be.

Patti expressed concern about having more than 11 units, which she felt might be too overwhelming for such a small town.

Richard said that he did not see a change in zoning, which allowed for more units, to be an obstructive hurdle. Having apartments there is, in fact, he said, a benefit. However, there needs to be an agreement about the size of the project.

John suggested that Mr. Levy come up with a solution that works for him.

Richard agreed and said the Board would need to see a site plan based on those numbers, and then Mr. Levy could get an address.

Barbara said there has to be a layout of a mix of units; bedrooms bathrooms and square footage.

Brandon suggested that between now and the next time that the board meets, Mr. Levy should get the plan, so that he could get NYCERTA funding and addresses.

Barbara agreed that there would be other issues that could be taken up later, but that immediately a basic plan would be most important.

Major subdivision

Property: Route 71

Applicant: 5 Birches or Hilldale LLC, represented by Chuck Johnson, who attended via Zoom

A map of the property, with potential division, was shared via Zoom. 5 Birches consists of seven investor, six of whom are individuals, and one is an organization, The Yonkers Rod and Gun Club.

They would like to subdivide this 120 acre property with about 3000 feet of frontage along Route 71 to the south of the Green River. There is an existing structure on one lot.

The proposal is to subdivide this with each of the individual investors having a lot in the flat area to the west of the mountain. Each house would have its own driveway and curb cut. The large open space would join with the 1000 acres to the east and north in Hilldale and Austerlitz that is currently owned by the YRG. The next step is to get engineering to perc the lots and get driveway plans, house sies and septic sites.

Barbara asked for clarity that the open space lot abuts the Rod and Gun lot behind it and will be added to that property. Chuck agreed to this. She then asked where there is a current road that goes to the YRG property.

Chuck Johnson said that the YRG has a deeded right of way from the former Daley property for the purposes of logging and accessing their land. There is a lodge at the south, and the purpose of this is to hunt turkey and deer. Everything at the east side of the ridge is consistent with what the YRG is hunting.

Barbara asked whether the 480A parcel would be further transferred directly to the YRG Holding Company.

Chuck responded that it would.

John asked whether YRG would commit this parcel to continue the 480A program.

Chuck responded that it would.

The intent for the house that is currently there, he said, is that the person who would be getting that parcel would work with the town to either reconstruct on the existing the foundation.

Barbara said that Chuck represented that the buyers of these lots would be hunters. And that there would be by-laws to prevent the use of firearms on those properties. She said that it is a densely populated neighborhood on the other side of Route 71, and that there should be sensitivity to noise.

There was concern from the public, particularly those who live in that neighborhood, who hear echoes of gun fire.

The subdivision, said Chuck, removes the possibility that the hunting club would be firing near the houses in that neighborhood, since there is a rule that there can be no firing within 500 feet of a house.

Would there be restrictions as to time of day that guns could be fired, asked Town Board member Joanna Virello. There is a problem in that area with gun fire, in terms of noise and safety. She asks that there be an open communication between this property and the neighbors.

Chuck responded that NY State law restricts noise from gun fire between 10 PM and 7 AM. Additionally, sound level should be less than 85dB within 100 feet of boundaries. He also said that they agreed to be cognizant and respectful of the neighbors, and to keep a dialog going.

Richard made a motion to adjourn, which was seconded by John
The meeting adjourned at 9:42