

PLANNING BOARD MEETING  
CANAAN, NY 12029

JULY 17, 2017

The meeting was called to order at 7:06pm. All Board members were present. There were 20 people in the audience.

Site Plan Review for David Gliner at 530 County Route 24 for a flat bottom pond

David Gliner and Fred Haley, surveyor represented the application. Marlene Tuczinski recused herself and left the room.

New maps were presented. Mr. Haley said the pond is in an RA2 zone, it is a permitted use. Mr. Haley said there is a definition in our law allowing Mr. Gliner to do what he wants to do, in having this pond. There are engineer plans on file. The engineer's maps show what Mr. Gliner wants to build ( pond) and the survey maps show what is currently there.

Outstanding item

1. Topo map- *okay*

Pierre read aloud the County Planning Board recommendation dated 6/21. The County said there was no impact. Pierre said he had a conversation with Patricia Gabriel at DEC and he read that letter aloud. DEC said all permits were valid. DEC Officer Cox did an on site inspection and found no problems. One small portion of the property is in the buffer zone of the wetlands however that is not a problem. There is 1 endangered species, a long ear bat so the only stipulation mentioned is that Mr. Gliner is **not** allowed to trim trees outside the allowed time frame( time of year). DEC allows disturbances within 5 feet of the creek and what Mr. Gliner is doing is 34 feet from the creek.

Pierre showed the Board pictures he had taken on site which shows what the land looked like before the pond. He said he walked the site twice. Pierre said the ZBA, which was the lead agency, did an EAF with findings of little to no environmental impact.

Pierre said what was asked for by the Board has been submitted so the application can move forward. Chad said according to documents presented, 15 feet more of materials are to be removed. Mr. Gliner said that will remain on the property.

The footbridge is permanent. This is located in a flood zone but it is unelevated and does not need flood insurance. Insurance would only be needed if a house was going to be built

there.

Mr. Gliner said his equipment has remained above ground and has not sunk into the ground even with all the snow and recent rain. Pierre said his last site visit was after 3 days of heavy rain and there was no problem.

Pierre said he wanted to put forward a motion for approval. Chad said he wanted to add a condition- if anymore trees are to be cut down, it has to meet DEC guidelines. Mr. Haley said all work designed falls within the engineer's design. Chad said another condition is- should the final construction differ from the proposed plan by more than 10% then new plans must be submitted to the Planning Board. Pierre read aloud the resolution for approval and deemed the application complete.

**MOTION TO APPROVE THE SITE PLAN AS PRESENTED WITH THE PREVIOUSLY 2 STATED CONDITIONS-Pierre Gontier**

Second- David Birch

All in Favor

Roll call Chairman Pierre Gontier-yes

Jens Braun-yes

David Birch-yes

Chad Lindberg-yes

Mark De Sanctis-yes

Jeff Sotek-yes

adopted

A fee of \$75.00 (cash) was paid.

Commercial Site Plan Review for Mark Meppen on Route 22 for a new location for his business as well as a new building(warehouse)

Pierre said before they got into review he would advise the Board that Mr. Miller had sent an email to the Clerk to be added to the file. That email was to say his house is now eligible to be added to the NYS Historic Registry. The letter from the State was read aloud. Pierre said being on the NYS Registry still does not prohibit approval of the site plan. The Board must consider this but it can't prohibit based on it.

Pierre also said Mr. Miller's concerns about a metal roof on Mr. Meppen's new building has been addressed. Pierre said he does not see that a metal roof would impact the NYS Registry.

Pierre read aloud the County Planning Board recommendation and in summary there was no impact. The County did recommend Mr. Meppen check with DOH to see what criteria they might have. Recommended that this Board address if chemicals will be stored on site

and this Board needs to look at emergency access. Pierre said emergency access was not an issue due to the proximity of Route 22.

David said he thought DOT had to approve the driveway again. Pierre said no, it was approved for Telergy. Pierre stated based on David's ( and Chad's) request that a condition be added which says a letter must be received from DOT which states the driveway is okay.

Pierre asked about the chemicals and Mr. Meppen said he does not have any refrigerant on hand. His units already have that in it and he does not need to add any refrigerants.

Chad said they had talked about elevations of the building at the last meeting. Pierre handed out new maps which showed elevations.

Jens asked if there were any trees on site that needed to be removed. Mr. Meppen said there are some sumacs and small trees/shrubs to be removed. He also said some of Mr. Miller's Christmas trees are on his property but he does not plan to keep them.

Pierre said the ZBA is lead agency. He said the file is complete. He read aloud a resolution for approval.

MOTION TO APPROVE THE SITE PLAN WITH 2 CONDITIONS- 1) DOH MUST APPROVE THE WELL AND SEPTIC (or give a variance on it) AND 2) DOT MUST PROVIDE A LETTER THAT THE DRIVEWAY IS ADEQUATE-Pierre Gontier

Second- David Birch

All in Favor

Roll call- Chairman Pierre Gontier-yes

Marlene Tuczinski-yes

Jens Braun-yes

adopted

David Birch-yes

Chad Lindberg-yes

Mark DeSanctis-yes

Jeff Sotek-yes

A fee of \$75.00 was paid.

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Commercial Site Plan Review for HBJ Holdings at 30 Flints Crossing Road ( self storage)

Chad recused himself and left the room. Andy Didio, engineer, represented this application.

Mr. Didio said the buildings are being reoriented and they will be made smaller. Mr. Didio presented new maps.

Pierre read aloud the County Planning Board letter, which stated there was no impact.

MOTION TO APPROVE THE SITE PLAN AS PRESENTED-Pierre Gontier  
Second-Jens Braun All in Favor

Roll call Chairman Pierre Gontier-yes  
Marlene Tuczinski-yes  
Jens Braun-yes adopted  
David Birch-yes  
Mark DeSanctis-yes  
Jeff Sotek-yes

A fee of \$75.00 was paid.

Minor Subdivision and BLA for Wilson Trust on Mercer Mountain ( County 5)  
Carl Matuszek, surveyor, represented this application.

Mr. Matuszek said there is 16 acres on one side of the road and 9 acres on the other side. He said he had appeared before the Board in June of 2016 and the subdivision was not approved since the proposal did not meet the 10 acre requirement. The Board offered a couple of options: 1) get a variance or 2) create a larger parcel to sell. The owners now are prepared to sell 9 acres to the abutter. Then the abutter ( Rozenshtein) will do a BLA on that property.

David questioned doing a subdivision which would create a non-conforming lot ( 9 acres). The Board discussed this and said they could condition the subdivision on the fact that it would be non buildable lot and had to be added to the adjacent parcel.

MOTION TO APPROVE THE SUBDIVISION CONTINGENT UPON THE FACT IT IS A NON BUILDABLE LOT AND THE SUBDIVIDED LOT MUST BE ADDED BY A BLA TO THE ROZENSHTein PARCEL (ABUTTER)-Pierre Gontier  
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Second- Jens Braun All in Favor

Roll call Chairman Pierre Gontier-yes  
Marlene Tuczinski-yes  
Jens Braun-yes  
David Birch-yes adopted  
Chad Lindberg-yes  
Mark DeSanctis-yes  
Jeff Sotek-yes

A fee of \$50.00 was collected.

MOTION TO APPROVE THE BLA-Pierre Gontier  
All in Favor

Second- Marlene Tuczinski

Roll call Chairman Pierre Gontier-yes

Marlene Tuczinski-yes

Jens Braun-yes

adopted

David Birch-yes

Chad Lindberg-yes

Mark DeSanctis-yes

Jeff Sotek-yes

A fee of \$50.00 was collected.

Review and approval of the June 19<sup>th</sup> minutes

Mark had contacted the Clerk after reading the draft minutes. He did not like some of the wording( with respect to what he had said) and wanted it written differently. The Clerk said she wrote what he said but would listen to the tapes again, if he wanted. The wording Mark wanted in the minutes did not match the tapes. That new wording was accepted by the Board.

MOTION TO APPROVE THE MINUTES AS AMENDED- Chad Lindberg

Second- David Birch

All in Favor

Roll call Chairman Pierre Gontier-yes

Marlene Tuczinski-yes

Jens Braun-yes

David Birch-yes

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Chad Lindberg-yes

adopted

Mark DeSanctis-yes

Jeff Sotek-yes

Additional business

1. Pierre said he sent a letter to the Supervisor ( per Board request) with minutes attached. It was not taken up by the Town Board and has been sent to the Town Attorney. The Supervisor told Pierre it was not passed off and will be looked into. Pierre read his letter to the Supervisor aloud.

2. Mark said he would like to propose that the Board use WiFi to share papers electronically. Pierre said he would talk to the Town Clerk. Mark thinks this would promote better use and efficiency.
3. Jeff said he wants the maps from applicants done electronically. He wants to look at everything in advance on the computer.
4. Jeff said all businesses need to submit in writing what hazardous materials are on site. They should submit a form. Jeff said this information has to be filed with Fire Companies anyway. Jeff said he would bring in the form.

There was no more business before the Board.

MOTION TO ADJOURN- Mark DeSanctis    Second- Jeff Sotek    All in Favor

The meeting was adjourned at 9:25pm.

Respectfully submitted,

Tammy C. Flaherty  
Planning Board Clerk