

PLANNING BOARD MEETING
CANAAN, NY 12029

MARCH 21, 2016

The meeting was called to order at 7:05pm. The Board stands at 6 members since Katrina Groboski resigned. Jeff Sotek came in late and Marlene Tuczinski was absent.

Boundary Line Adjustments between Seth & Kameron Lewis-Levin and Joseph & Laurel Whitaker on Queechy Lake Drive. Dan Russell, Surveyor represented this application.

Mr. Russell presented the maps as the properties currently are and also the after BLA map. Lot 1 is 7.193 acres and lot 2 is 9.506 acres. The Lewis-Levins want to merge these 2 parcels plus give a small portion of land(.067 acre) to the Whitakers around their shed which is very close to the property line as well as a tiny piece of land (.0004 acre) directly on the lake. After the BLA, the Lewis-Levins will own 16.776 acres(including the lake portion) and Whitakers will own 1.017 acres (including the lake portion).

MOTION TO APPROVE THE BLA'S-Pierre Gontier Second-David Birch
All in Favor

Roll call Chairman J. Pierre Gontier-yes
 David Birch-yes
 Jens Braun-yes
 Chad Lindberg-yes adopted
 Jeff Sotek-yes

A fee of \$75.00 was collected.

Matthew Bowe, Surveyor, was scheduled next on the agenda however he was not present yet so the Chairman moved onto the next item.

Informal appearance for a change to the Commercial Site Plan for Gutches Lumber log storage facility on Flints Crossing Road

Andy Didio with Taconic Engineering presented this application. Chad Lindberg who is a principle in Taconic Engineering recused himself and left the room.

Pierre explained this is an informal appearance since it was not advertised and since the Board did not have all the paperwork needed from the ZBA. This application has to have

a Special Permit issued by the ZBA after a site plan has been approved by the Planning Board. Pierre said he had received the ZBA paperwork today, the day of this meeting. Mr. Didio explained that the proposed project is to buy the 9.61 acre lot currently owned by Jon Kie . The land to be purchased will be added to the acreage currently being leased to create a larger commercial site. There is a house on the land where Mr. Kie lives but he will move if it is sold. Pierre gave some history on this site stating the site plan was approved in 2012 and that property is leased by Gutchess Lumber. Pierre said CSX and DOT will have to be notified due to where the property is. Also, it will have to go to County Planning for review since it is within 500 feet of Route 22.

SEQR was presented and that review shows endangered species but it only pertains to full standing water. There are no designated wetlands on the property. Mr. Didio said there will not be any new storm water coming onto this property from the current property. Pierre said he wants to make sure the amount of water will be handled by the existing culverts. Mr. Didio said this will be covered by the SPEDS permit thru DEC. David asked if the storm water management plan has to be approved before the site plan approval and Pierre said yes. Mr. Didio said he would ask the Board to approve it in advance with the condition that DEC approves it.

There is no proposed truck traffic per Mr. Didio and Pierre said he wants that in writing. There is a proposed new driveway off Flints Crossing Road so they can drive between the two yards. Pierre said the problem with that is they do not own the other parcel (current one). David asked if this other entrance is the Board's concern and Pierre said yes. Mr. Didio said they don't need the new entrance now but want to plan for the future; especially if anything ever happens with the leased parcel. If they ever lose the lease on the Northern portion they would still want to make sure they could use a driveway on the Southern portion (new parcel). They would like the Board to keep it open as an option for them to have the second driveway. Pierre would like a crash gate put in for emergency use. Pierre said they would need a permit from the Highway Superintendent and stated he had spoken to the Highway Superintendent who said he was not concerned about a second entrance. Pierre asked the Board what they thought of a second entrance and Jeff said he does not like only 1 entrance. David said it should be a commercial entrance. Mr. Didio said that would be a large expense and they probably won't use it since they already have access thru the other parcel. The new driveway would have to be built to spec, ie: 4 inches blacktop for 100 feet. Pierre said he was concerned about mud being brought out onto the road. Mr. Didio said the entire yard will be stone, the driveway built to spec but not be asphalt. This will alleviate most of the mud.

Mr. Didio said they plan to keep the current house on site since it may be used in the

future for employee housing. Pierre said they have to keep in mind that if they want multiple residences they will have to think about how much use the well and septic will have. Pierre asked for this in writing.

The logs are not wet down but are instead waxed to keep moisture in. There is no proposed lighting. They do not plan to change business hours. David asked what is done there and Pierre said this is only storage; logs are stored by size and type.

Jeff asked Mr. Didio to look at Federal guidelines for the EAF. Pierre asked to have a narrative submitted as soon as possible so this application can go to DOT, CSX and County Planning. Jeff also asked for swale lines to be put on the map.

* Chad returned to the Board

Informal appearance for a BLA for Tom Palchanis on Cunningham Hill Road.

Represented by Matthew Bowe, surveyor.

Mr. Bowe said this was previously subdivided by this Board in 2013. Mr. Palchanis owns 2 parcels and wants to increase the 5.088 acre parcel to 6.870 acres (increase of 1.782 acres) and decrease the 10 acre parcel (parcel 2). He will probably sell parcel 2 in the future. Each parcel already has a driveway and there are no structures on either parcel. The Board has no problem with this BLA and Pierre asked Mr. Bowe to do a short SEQR form on this for when he appears back before the Board.

Informal appearance for a BLA for Dorothy Meppen on Route 295 and Meppens Hardware on Route 295 & Route 22. Represented by Matthew Bowe.

Mr. Bowe said the proposed BLA is between the RA2 zone where Mrs. Meppen's house is and the abutting property, the hardware store which is in the C2 zone. Currently the boundary line goes down the middle of Mrs. Meppen's property and they would like that changed so the entire driveway is on the property for the house. There is also a trailer on the property with the house and if a BLA is approved then the trailer would be on the commercial property. Mr. Bowe said he thought the trailer can be accessed thru Route 295, Route 22 and Beebe Pond Road but the Board could not see that since the map Mr. Bowe provided was very small and they could not read it. Pierre asked the Clerk to go downstairs and get the old file with the approved site plan.

Note- David left the meeting at 8:20pm.

The last approved site plan (there have been multiple site plans for this property over the

years) was in 2013 and the change made at that time was to add the sale of trailers with the number and location of those trailers shown on the map. Pierre said he would allow the trailer to be grandfathered as is with the access as is if a BLA went thru however he would not allow access thru the commercial property. He stated even adding the BLA to the existing lot it does not meet the 2 acre requirement; it would only have 1.5 acres and he won't support a non-conforming lot. Pierre stated he would require a new review of the whole commercial site plan because the surveyor is proposing changes to the approved site plan.

Issues brought up the Board

1. Already is a non-conforming lot. Could get a variance.
2. Planning Board will not allow access thru a commercial zone
3. The mobile home is a non-conforming use.
4. Any change will constitute a change to a commercial site plan, even the driveway.
5. Applicant should try to get a driveway for the trailer off Route 295. That will take time and could be costly. Told Mr. Bowe to contact DOT to see if another driveway was possible. Check to see if an easement could be obtained from a neighbor for the driveway.

The Board said there could be more issues upon further review. The Board will wait to hear from Mr. Bowe. The Clerk told Mr. Bowe when the next meeting was(4/18) and when the submission deadline was (4/8).

Additional business

1. Appointment of Deputy Chairman

**MOTION TO APPOINT CHAD LINDBERG AS DEPUTY- Pierre Gontier
Second-Jens Braun**

Roll call Chairman J. Pierre Gontier-yes

Jens Braun-yes
Chad Lindberg- abstain
Jeff Sotek-yes

* note- no quorum to vote since David left

2. Pierre said Katrina Groboski had changed jobs and cannot make the meetings now so she has resigned. Pierre said Mark DeSanctis who had previously applied is eligible for the Board. Pierre asked the Board if they had a problem with him and the Board said no. Pierre will call Mr. DeSanctis.

3. Pierre said Marlene is absent tonight but said she has been drafting wording on the

ROW and driveways. That will be discussed in April.

4. Pierre met with the Assessor. The Assessor says she is confused on maps since she only sees tax maps and does not see driveways etc. She is getting information on other Towns and wants to get a legal opinion on the liability of ownership of ROW's and driveways.

Review and approval of the February 15th minutes

MOTION TO APPROVE AS WRITTEN- Pierre Gontier

Second-Jeff Sotek

All in Favor

Roll call Chairman J. Pierre Gontier-yes

Jens Braun-yes

Chad Lindberg-yes

Jeff Sotek-yes

adopted

There was no more business before the Board.

MOTION TO ADJOURN- Pierre Gontier

Second- Jens Braun

All in Favor

Meeting adjourned at 8:55pm.

Respectfully submitted,

Tammy C. Flaherty
Planning Board Clerk