

PLANNING BOARD MEETING
CANAAN, NY 12029

OCTOBER 19, 2015

The meeting was called to order at 7:02pm. Absent- Katrina Groboski(excused) and Jeff Sotek. David Birch was not present when the meeting began but came in after the first application.

Restamping of a previously approved map due to non-filing for the Vivian Gates estate (Viki Hatch). Represented by Cindi Elliot, Surveyor.

Ms. Elliot stated this was approved in July 2015 and had not been filed by the lawyer or title company as she thought they would do. Pierre said this is only a restamping, there are no changes to the map. He feels the fees should be waived.

Restamping of a previously approved map due to non-filing for the Bombola estate. Represented by Cindi Elliot, Surveyor.

Ms. Eliot said this map was also not filed; it was suppose to be filed by the lawyer. The land is about to be given to the daughter as determined by the will and that is when it was discovered that the maps were never filed.

MOTION TO RESTAMP THE MAPS(Gates and Bombola) AND WAIVE THE FEES
ON BOTH MAPS-Pierre Gontier Second- Chad Lindberg All in Favor

Roll call Chairman Pierre Gontier-yes
 Jens Braun-yes
 Marlene Tuczinski-yes adopted
 Chad Lindberg-yes

Commercial Site Plan Review for TM-APG LLC (Gerhard Komenda) at 12913 Route 22 to construct posts used in aerial adventure parks.

Mr. Komenda and Patrick Prendergast, engineer appeared for this application. This application has appeared before the Board previously and was tabled for additional information. New maps have been drawn and presented to the Board. A 15 foot by 60 foot pole barn has been added to use for storage of cables and for wood cutting. The small pole barn(already present) is to store logs. The future plans are to add onto the house. Mr. Prendergast said he has met with DOT about the driveway and is waiting to hear back from them. He stated DOT is very busy this time of year. If Mr. Komenda lived on site, this would be considered an Home Occupation.

The logs are stripped and then coated with linseed oil and shipped to the adventure park sites for construction. The longest log used is 18 feet and all are handled by hand. Pierre asked how many logs there are on site and Mr. Komenda said 30 to 40 at most if all of his jobs are working at the same time. All logs are stored in the barn. He uses locust logs to create the posts and the only other wood used is white pine. The pine is only delivered twice a year.

The ditch by the road is to be dug out and a 15 inch culvert will be added. There will be a little grading at the driveway entrance but not much since the land is mostly flat. A picture (map) of the curb cut has been provided to the Board. Only place not level is near the new pole barn. The light poles shown on the map were already existing. Pierre said he would like to see a snow removal area shown on the map, not near the wetlands. Mr. Prendergast said there is a lot of room for snow and the wetlands are nowhere near that area. Chad said he would like to see a 100 foot buffer shown for the wetlands. Mr. Prendergast measured and showed where it would be on the map. Chad asked about the driveway and whether it was paved or not. Mr. Prendergast said it is gravel. He said it could use some more gravel and recommended Mr. Komenda add gravel to the driveway. The only paving is at the entrance.

Outstanding items

1. Label pole barns storage and processing
2. Show what the addition will be ie: office or whatever
3. Show setbacks from house with relationship to other buildings
4. Show more detail on the driveway and parking areas
5. Show snow removal area
6. Show septic system location and assessment of viable use
7. Show eave heights/ridge heights of buildings and detail of construction ie: wood/metal

Mr. Prendergast said the entrance is actually owned (by deed) by New York State; it is their right of way. This was done when Route 22 was changed in 1939.

There is no signage proposed. Jens asked how many employees there are and Mr. Komenda said 2 or 3. Most of his guys are out in the field. More discussion on the ground being level and making sure emergency equipment could get into the property, Marlene said all of the Canaan fire trucks could get in and out without a problem.

Mr. Prendergast said the house is already non-conforming since it has a 12 foot setback. Chad agreed with this but said he still would like to see all setbacks on the map. Mr. Komenda said he originally said he had thought he might offer the house for his employees to live in but he will not do that due to a mold problem.

Pierre said this file has already had County review (sent by the ZBA) and the County said there were no problems with it. Mr. Komenda nor Mr. Prendergast had seen a copy of the letter from County Planning. The Clerk gave Mr. Prendergast a copy. Pierre said this application needs Site Plan Review and a Special Permit (from the ZBA). Mr. Prendergast asked if the County had the maps when they wrote their letter. Pierre asked the Clerk if we (the Planning Board) had sent it down to the County. We did not; it was sent by the ZBA. Pierre said since the County has already responded there is no need for the Planning Board to resend it. Mr. Prendergast asked if they have to go back to the ZBA and Pierre said yes. The ZBA has to issue a Special Permit; which can only be done after a Site Plan has been approved. The ZBA has to hold a Public Hearing on the file; the Planning Board does not.

Pierre asked how much debris is on site and Mr. Komenda said not much. He has a container on site for what they don't use and the wood shavings are composted.

The Board will table this until new maps are presented with the outstanding items.

Commercial Site Plan Review for Bemiss Properties on Route 22

Marcie and Jim Bemiss and Patrick Prendergast, engineer represented this application. The maps were drawn by Pete Van Aylstine, Surveyor.

Pierre explained that a building permit had been issued by the ZEO and it should not have been without an approved site plan. The permit was issued as an accessory use, however there was no business currently existing on that parcel so an accessory use was incorrect. Now there is a large storage building already framed and roofed on the property. The building was started based on the issued permit, construction was stopped when the ZEO was notified that it needed Planning Board review/approval. This will also need a Special Permit from the ZBA.

This building will be for the storage of trucks and equipment. There was a pre-existing driveway between this lot and the adjoining lot (Country Caretakers). Bemiss Properties will have an easement on the driveway from Country Caretakers. This agreement has not been finalized yet. However since this driveway comes out onto Route 22, it will need DOT approval. Mr. Prendergast said he is only doing the work on the driveway and communicating with DOT. He is not doing any other work on site.

There is no well or septic system on site. The Board said the Bemisses could put in a drainage system now, pour the concrete for it (rough it in) but it cannot be used until the Site Plan is approved. Jim Bemiss said they would like to put the drainage in but they also want radiant heat. The drainage would have to be done first. They plan to use a oil/water separator for drainage.

Outstanding items:

- 1. Need copy of the approved easement
- 2. DOT approved entrance
- 3. Show drainage system with tanks on the plan detailed. Suggestion to show bathroom and wastewater system as well even if use is in the future
- 4. Show the well
- 5. Show eave/ridge heights on the building. Building is 28 feet?
- 6. Describe water runoff on the building. Gutters? Drywell? Surface discharge?

Mr. Prendergast said he hopes to be at the November meeting.

Review & Approval of the September 21st meeting

MOTION TO APPROVE AS WRITTEN-Jens Braun Second- Pierre Gontier
 All in Favor

Roll call Chairman Pierre Gontier-yes

Jens Braun-yes
 Marlene Tuczinski-abstain absent on 9/21
 Chad Lindberg-yes adopted
 David Birch-yes

Additional business

The December meeting has been changed to the 15th instead of the 21st.

No more business before the Board.

MOTION TO ADJOURN-David Birch Second- Marlene Tuczinski All in Favor

The meeting adjourned at 8:55pm.

Respectfully submitted,

Tammy C. Flaherty
 Planning Board Clerk