



# **COPAKE PLANNING BOARD**

## **FEBRUARY 4, 2015**

### **MINUTES**

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#### **DRAFT**

**Please note that all referenced attachments, comprising 6 pages, are on file with the Copake Town Clerk and in the Planning Board office. An annotated listing of those attachments appears at the end of this document.**

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A regular meeting of the Copake Planning Board was called to order at 7:05 p.m. by Bob Haight, Chair. Also present were Chris Grant, Marcia Becker, Steve Savarese and Ed Sawchuk. Jon Urban, Julie Cohen and Town Attorney Ken Dow were excused. Lisa DeConti was present to record the minutes. Town Board Liaison Terry Sullivan was also present.

#### **ZONING BOARD OF APPEALS – Referrals**

##### **2016-5          ZBA REFERRAL – GARY SINGH/RUBIN QUICK STOP – County Route 7 [Copake]**

- Referral letter from the Building and Code Enforcement Officer dated January 9, 2016
- ZBA Request for Area or Use Variance and Special Use Permit
- Site Plan
- Survey Map
- Pictures

Mr. Haight advised the Board that Mr. Singh has appeared before the Zoning Board of Appeals (ZBA) to change the Site Plan from an asphalt parking lot to a gravel one. Mr. Haight who attended the ZBA meeting pointed out that Mr. Singh's plans show the front parking lot on the clock side and the parking lot on the gas station side as gravel as well. He explained to them that gravel on the clock side and the gas station side would not be advisable as this could be messy with gravel spread unto unwanted areas.

Mr. Haight continued to note that the plans presented at the ZBA showed the parking stripes which he told the ZBA had been taken out of the Site Plan when it was approved by the Planning Board. Mr. Haight clarified to the ZBA that the Planning Board discussed gravel being used for the rear parking lot as gravel has better drainage but this had not been considered for the front by the clock or the side by the gas station. Mr. Haight believed Mr. Singh had misunderstood the Board's preference for gravel being used for the back parking lot to include both the front and side as well.

A letter will be written to the ZBA acknowledging that the Board has no issue with gravel being used for the back parking lot being however the front side by the clock and the side by the gas station should remain asphalt as gravel in that area would be scattered into the road and surrounding areas.

## **PUBLIC HEARING**

**NONE**

## **SUBDIVISION/SITE PLAN**

### **2015 -23      REFERRAL/SPR – MICHAEL & KAREN DiPERI – Vernon Road [Taconic Shores]**

- November 5, 2015 Minutes page showing Michael DiPeri referral
- Referral Letter dated August 10, 2015
- Survey Map dated April 26, 2007
- North view of Property Landscape
- Site Plan
- Preliminary Estimate
- NYSDEC Permit dated June 6, 2015
- Building Permit dated August 5, 2015
- Taconic Shores Property Owners Association Building Permit dated July 14, 2015
- ZBA Approval dated December 21, 2015

Frank Peteroy appeared before the Board representing Michael DiPeri. Mr. Peteroy advised the Board that several variances had been received from the ZBA. Mr. Peteroy also asked about the fee and was advised that a fee in the amount of seventy-five dollars (\$75.00) was required. No fee was submitted at this time.

Mr. Peteroy submitted a page from the November 5, 2015 Planning Board Minutes in which the Board reviewed the Zoning Board referral for Mr. DiPeri. Mr. Peteroy reminded the Board that Mr. DiPeri wishes to construct an upper deck from his house, a platform deck below it and another platform deck further down on his property toward Robinson Pond.

Mr. Peteroy advised that it is his intent to have a surveyor come in and set the pins and do the corners for all the structures. Ms. Becker acknowledged that Mr. DiPeri's property is approximately one-half of an acre and Mr. Peteroy clarified that the total acreage is point four-seven-one (.471).

Mr. Haight asked whether there were stairs going from one deck to the other and whether piers or footings will be used. Mr. Peteroy clarified that no piers or footings will be used and the lower decks are just platform decks.

Ms. Becker asked what the lot coverage was and Mr. Peteroy advised her that it is approximately twenty-five percent (25%). Mr. Peteroy noted that he corrected the blacktop on the plans as part of the driveway is shared and would affect his percentage calculations. Mr. Grant acknowledged that this wasn't relevant as the current zoning defines structures as buildings.

Ms. Becker pointed out that the bottom deck is a permanent deck on gravel and questioned whether there were footings. Mr. Peteroy clarified that there are spiral anchors to hold them in place. Mr. Haight noted that this is less of a disturbance when getting closer to Robinson Pond.

Ms. Becker asked whether there will be grass around the decks. Mr. Peteroy explained that everything on the property will remain the same however he did note that the shrubs near the shoreline will be removed as discussed with the DEC and something like creeping junipers or myrtle will be used to stabilize the bank.

Ms. Becker then asked whether there will be an erosion and sediment control plan and was advised by Mr. Peteroy that silt screening will be used and the only equipment that they expect to use is a back-hoe with rubber tires.

The Check List was reviewed. It was noted that there is no proposed lighting planned at this time and if any is used it will be low impact lighting and pointed downward.

On a motion made by Mr. Savarese and seconded by Mr. Sawchuk the Board voted unanimously to approve the Site Plan for Michael DiPeri as prepared by Frank Peteroy.

## **2015-28        SITE PLAN REVIEW – STELLA ANASTASIA – County Route 7A [Copake]**

- None

Mr. Haight acknowledged that during the week he had driven past the house Ms. Anastasia hopes to purchase for the bakery and noticed that there were survey pins in the center of her driveway with half of the driveway owned by the neighbor on the right hand side of the property. Mr. Haight contacted Ms. Anastasia regarding this and was informed that she obtained permission from the neighbor along with a right-of-way for the driveway.

Mr. Haight then advised the Board that prior to the meeting Ms. Anastasia met with him to let him know that she cannot move forward with her Site Plan for a Bakery on County Route 7A. She explained to him that after meeting with the Department of Health they informed her that inasmuch as she was planning a commercial business they would not approve the site due to the fact that the well and septic system were not the required distance apart from each other.

Ms. Anastasia had no choice but to withdraw her application but did note that she would still like to move forward with a bakery should anyone know of another property that would work for her.

## **MINUTES**

On a motion made by Ms. Becker and seconded by Mr. Grant the Board voted to approve the minutes of the January 7, 2016 meeting.

## **ADMINISTRATIVE**

**RUBIN QUICKSTOP/GARY SINGH:** Mr. Haight advised the Board that Mr. Singh would like to install steel bollards in the front and side of his Tavern to protect the windows. Mr. Haight explained that the bollards are usually four to six inch (4-6") wide and filled with concrete. Mr. Haight informed them that they will need to come before the Planning Board as the lot is a commercial lot and any commercial renovations need to come before the Planning Board.

Mr. Haight asked Mr. Peteroy whether Bollards would be considered a fence and whether there were any set-backs required for them. Mr. Peteroy thought they might be covered in the commercial code.

A discussion ensued regarding different types of more aesthetically pleasing options that would fit in with the Hamlet Revitalization plans. Ms. Becker made note of the fact that any change in an approved Site Plan needs to come back before the Board for an amendment.

**UPDATED ZONING LAWS:** Mr. Haight advised the Board that starting in March the Town Board will be holding workshops for the different Boards and Committees in Town regarding the new Zoning Laws. He explained that one or two (1-2) members of the Board will appear before the Town and report back to their respective Boards. Mr. Grant asked if there was any intent to hold a Public Forum. Mr. Haight acknowledged that this is a possibility.

Mr. Haight also advised the Board that there are a couple of hard copies of the updated Zoning Laws in the office should anyone like a copy.

Mr. Grant asked whether there is a way to have an open website where questions can be typed in and addressed. Mr. Haight will speak with Town Clerk Larry Proper to see if this is possible. Town Board Liaison Terry Sullivan suggested a Facebook page.

## **CARRY OVER**

The following matters were carried over to the next meeting:

**NONE**

## **ADJOURNMENT**

There being no further business, on a motion made by Mr. Savarese and seconded by Mr. Grant, the Board voted unanimously to adjourn the meeting. The meeting was adjourned at 7:45p.m.

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Bob Haight, Chair

**Please note that all referenced attachments, comprising 6 pages, are on file with the Copake Town Clerk and in the Planning Board office. The referenced attachments are filed in the individual project files. An annotated listing follows:**

## **ADMINISTRATION**

### MICHAEL DiPERI

June 16, 2015           Cady-Poulin/NYSDEC to DiPeri (3)  
August 10, 2015       Ferratto to ZBA (1)  
December 21, 2015    ZBA to DiPeri [Approval] (2)