



COPAKE PLANNING BOARD

JUNE 2, 2016

MINUTES

DRAFT

Please note that all referenced attachments, comprising 10 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.

A regular meeting of the Copake Planning Board was called to order at 7:00 p.m. by Bob Haight, Chair. Also present were Marcia Becker, Julie Cohen, Jon Urban, and Ed Sawchuk. Chris Grant and Steve Savarese were excused. Lisa DeConti was present to record the minutes. Town Attorney Ken Dow and Town Board Liaison Terry Sullivan were also present.

ZONING BOARD OF APPEALS – Referrals

2016-9 ZBA/SPR – MICHAEL & DIANE LACONTE – Arbor Drive [Copake]

- Application for Site Plan Review
- ZBA Application
- Building Permit Denial
- Environmental Consultant Letter dated May 16, 2016
- E-Mail Letter from Diane LaConte regarding New Pump System dated May 9, 2016
- Bill Baldwin Receipts
- Kevin Albright Invoice dated November 11, 2008
- Pictures
- Site Plan and Elevations
- Fee for Site Plan

Linda Chernewsky appeared before the Board with Diane LaConte. Ms. Chernewsky reminded the Board that she appeared last month so she could clarify whether Mrs. LaConte's property would be viewed as having two front yard set-backs prior to her appearance at the ZBA.

Ms. Chernewsky also acknowledged that the septic was located and Environmental Consultant Ed Nostrand performed the dye test and found that the system was functioning properly. Ms. Chernewsky noted that the well had also been located and according to the owners was recently checked with no problems found. Ms. Chernewsky made note of the fact that at one point the

original septic had a failure and was replaced by Bill Baldwin. Ms. Becker asked what the distance was between the septic and the well and was informed by Ms. Chernewsky that it is approximately sixty feet (60') and is located uphill from the septic. Ms. Chernewsky explained that she was advised by Mr. Nostrand not to put any footing drains on the side of the septic. Ms. Chernewsky also noted that the bedroom count is being reduced to three (3) bedrooms from the original four (4) bedrooms.

Ms. Becker pointed out that the building is being increased from a one-story structure to a two-story structure and asked for a set of elevations. Mr. Haight asked what variances were being requested and Ms. Chernewsky acknowledged that a front yard set-back variance on Crescent Drive, a right yard set-back variance for a deck that is being added and a left yard set-back variance are being requested. She also noted that all the set-back variances requested are less than the existing structure with the exception of the right yard variance due to the addition of the deck.

Ms. Becker asked what the basement situation was and Ms. Chernewsky explained that the present basement is just a frost base and there are plans to add a full basement at this time with a walk-out entrance/exit. Ms. Chernewsky also pointed out that the reason the structure is being raised some is because water from the neighbor's property runs into the crawl space and basement areas. Mrs. LaConte added that the patio had been washed out twice as well.

Mr. Haight brought up the fact that under Town Code 232-24B (2)(b) 'Replacement' if a structure is going to be totally taken down then the Board needs to consider the height of the new structure. Ms. Chernewsky acknowledged that the height of the replacement is within the proper requirements. Ms. Becker also referred to Town Code 232-24B(2)(a)[4] which reads: *Where a single-family dwelling exists on a nonconforming lot, a second story may be permitted over the same footprint, provided such addition does not exceed the height limitations in the density control schedule of this chapter for nonconforming lots.* Ms. Chernewsky did not believe a height variance is required. Mr. Haight advised that this was a Board decision and the Board is in agreement that a height variance is not required.

Ms. Becker once again brought up the fact that the septic and well are both pre-existing and questioned what could be done about this as there is no place either can be moved. She also noted that there have been improvements made to the system.

The Check List was reviewed. Ms. Becker asked whether there were any lighting plans and was advised by Ms. Chernewsky that there will be recessed lighting on the covered porch. Mr. Haight asked whether there will be any lighting on the deck and advised that if there are they will need to be pointed downward. Ms. Becker brought up the fact that new plans are needed showing the proposed lighting.

On a motion made by Mr. Haight and seconded by Ms. Becker the Board voted unanimously to approve the Site Plan for Michael and Diane LaConte on Arbor Drive in Copake subject to receipt of an electrical lighting plan and approval of the ZBA variances.

PUBLIC HEARING

2016-8 MINOR SUBDIVISION – JOHN A. LANGDON LLC – County Route 7A [Copake]

On a motion made by Ms. Becker and seconded by Mr. Sawchuk the Board voted unanimously to open the Public Hearing. Mr. Haight asked if anyone wished to speak on this application.

Being none on a motion made by Ms. Becker and seconded by Mr. Urban the Board voted unanimously to close the Public Hearing.

SUBDIVISION/SITE PLAN

2016-8 MINOR SUBDIVISION – JOHN A. LANGDON LLC – County Route 7A [Copake]

- Agricultural Data Statement
- Parcel Deeds
- Parts I, II and III of the SEQRA

Donna Peck appeared before the Board representing John A. Langdon LLC. Ms. DeConti acknowledged that the Agricultural Data Statement was sent out to the adjourning property owners. Mr. Haight asked whether the County had been notified and Ms. DeConti explained that a representative of the County advised her that they do not review minor subdivisions.

Ms. Becker reminded the Board that one of the parcels will need a perc test prior to building. Ms. Peck acknowledged that a perc test is required before a building permit is received. Ms. Becker brought up the fact that at the last meeting Mr. Grant asked whether there were any prior subdivisions and it was noted that there had been none.

Ms. Becker asked whether this application had been classified as yet. On a motion made by Ms. Becker and seconded by Ms. Cohen the Board voted unanimously to classify the survey map of John A. Langdon LLC dated April 27, 2016 as a Minor Subdivision.

The Check List was reviewed. Ms. Becker noted that an on-site sanitation and water supply facility is to be designed to meet the Board of Health requirements and a note to this effect will be stated on the plat and signed by a licensed engineer. The Board will also require that another note be put on the map stating that Parcel C cannot be built on without Board of Health approval. After discussion the Board acknowledged that it cannot add notes to a signed stamped set of plans. They decided that a note would be written and attached to the plans, and a copy would remain with the file.

Ms. Becker questioned whether all the roads and their widths are stated on the map. Ms. Peck pointed out the existing roads and driveways and Mr. Haight acknowledged that inasmuch as Parcel C is not built on this wouldn't be required for that parcel.

Part Two of the SEQRA was read. On a motion made by Mr. Haight and seconded by Ms. Cohen the Board voted unanimously to make a Negative Declaration.

On a motion made by Mr. Haight and seconded by Ms. Cohen the Board voted unanimously to approve the Minor Subdivision of John A. Langdon LLC. Mr. Haight will stamp the maps on Saturday and attach a letter regarding Board of Health approval on Parcel C. Ms. Peck will file them with Columbia County.

2016-11 SITE PLAN REVIEW – CATHERINE COLUZZI & ROBERT JACOB – Sky Top Road [Copake]

- Application for Site Plan Review
- Building Permit and Referral from Building Inspector
- Letter of Agency
- Pictures
- Site Plan and Elevations

Architects Nicholas Sajda and Christopher Harrigan appeared representing Catherine Coluzzi and Robert Jacob. Mr. Sajda presented the Site Plan and explained that the existing structure is an A-Frame structure that was built in the 1960s with several additions added over the years. Ms. Becker who neighbors the property noted that the A-Frame structure was built as a wedding present by Sydney Unger to his son John Unger. Ms. Cohen added that the original A-Frame structure was built in 1968. Mr. Sajda pointed out the planned additions.

Attorney Dow wanted to disclose the fact that he had previously done some work for Ms. Coluzzi's neighbor regarding the easements and to the shared roads and offered to recuse himself if Ms. Coluzzi wished. Ms. Coluzzi had no issue with this.

Mr. Sajda presented a plan from the engineer showing the proposed new septic design. Ms. Cohen asked whether Mr. Sajda had spoken to the Board of Health regarding a six (6) bedroom septic and was advised that he had not. However considering the amount of land involved he did not feel this would be an issue. Ms. DeConti asked what the size of the proposed septic is and was advised by Mr. Sajda that the system had not been designed as yet. Ms. Becker acknowledged the existing wells.

Mr. Haight pointed out that the main thing the Board is concerned about is the design and size of the proposed septic and Department of Health approval. Mr. Haight had concerns on whether Department of Health approval would be given inasmuch as the system is pre-existing. He did acknowledge that the Board will need an engineer's stamped letter on whatever system is installed. Mr. Haight also made note of the fact that should a system be installed that the Board is not familiar with the possibility exists that the Town Engineer would be contacted.

Ms. Becker asked if the gravesite still existed on the parcel as it is listed on the site map. Ms. Coluzzi acknowledged that the body had been moved and she was never able to locate the graveyard. Ms. Becker suggested having the grave site location removed from the site map.

Mr. Haight advised that approval would not be able to be given until the Board sees the septic design. Mr. Sajda asked whether approval could be given subject to the septic design so that they could move forward.

The Check List was reviewed. Ms. Becker questioned the fact that there are no contours on the maps and Mr. Sajda explained that the engineer thought that given the minimal amount of footprint additional stormwater management would not be necessary. Mr. Haight noted that all lighting would need to be pointed downward. Ms. Cohen pointed out that Zoning District 'R' needed to be added to the map.

On a motion made by Mr. Haight and seconded by Ms. Becker the Board voted unanimously to approve the Site Plan for Catherine Coluzzi and Robert Jacob dated December 9, 2011 subject to the Zoning District 'R' be added to the map and a septic design stamped by an Engineer is received along with any Department of Health approvals that might be given.

2016-12 SITE PLAN REVIEW – CAMPHILL VILLAGE (*Village Greene*) – Camphill Road [Copake]

- Application for Site Plan Review
- List of Adjoining Properties
- Fee for Site Plan

Pat Prendergast appeared along with Jos Smele and Roman Geahard representing Camphill Village. Mr. Prendergast noted that they are before the Board for the Village Green building which is the building the Café, Bakery and Gift Shops are located in. Mr. Prendergast pointed out that the Village Green was to be renovated as part of the Master Plan which was approved in 2010.

Mr. Prendergast presented the Site Plan and explained that Camphill would like to add a twenty four-hundred (2,400) square foot building at the front of the existing building. He pointed out the addition of Brick Pavers and the location of additional parking spaces. Mr. Prendergast noted that the Bakery will remain pretty much as is and Mr. Smele clarified that there will be some interior changes in the Bakery but renovations on the other side will combine the Kitchen, Café, Coffee Shop and Gift Shop so that they can be run by one person.

Mr. Haight asked about the flow of the Sprinkler System volumes. Mr. Prendergast explained that they are presently using fifteen to eighteen thousand (15,000-18,000) gallons per day and there are sixty (60) thousand gallons of storage on the hill. It was also noted that ten-inch (10") water lines are being used. Ms. Becker questioned whether the use or demand is being changed

and was advised that there is no change in either. Mr. Haight questioned whether the Sprinkler System was connected to the storage tank and was advised that it is connected to the main.

Mr. Sawchuk asked whether any exterior walls will be taken down and was advised by Mr. Prendergast that there are discussions about taking down certain walls for the remodeling and then rebuilding them in place afterward so that they can be better insulated. Ms. Becker asked whether there is any change in height and was advised by Mr. Prendergast that there might be a two foot (2') change in some places bringing it to a height of twenty-four feet (24') which is within the required limit. Ms. Becker pointed out that there are really no big changes to the site.

Mr. Haight noted that the SEQRA had been done for the Master Plan and questioned whether it would have to be done again for individual sites. Attorney Dow advised that as long as what is being done is what was approved none would be required.

On a motion made by Mr. Haight and seconded by Ms. Becker the Board voted unanimously to approve the Site Plan for the addition of the Village Green at Camphill Village, Project Number 16894.

A fee in the amount of \$75.00 will be mailed to the Town of Copake. Mr. Haight will stamp the Site Plan on Saturday.

MINUTES

On a motion made by Mr. Haight and seconded by Mr. Sawchuk the Board four (4) in favor to approve the minutes of the May 5, 2016 meeting. Ms. Becker abstained inasmuch as she did not attend the meeting.

ADMINISTRATIVE

GARY SINGH TAVERN: Mr. Haight advised the Board that three (3) members of the Board went to look at the Bollards at Gary Singh's tavern and they decided that wooden whiskey barrel planters can be placed in front of the Bollards. Mr. Haight acknowledged that it was originally believed there would be a step in front of the Tavern however the asphalt runs flush to the building so the insurance company requested that the Bollards be placed in front for protection. Mr. Haight noted saw-grass can be planted toward the back of the barrels near the steel Bollards.

Mr. Haight also noted that the back patio is not on the Site Plan however none of the Board members objected to it. Mr. Haight also made note of the fact that he discussed this with the Building Inspector who will be sending Mr. Singh a letter stating that although the back patio and steel bollards are not on the Site Plan they do have the Planning Board's approval.

Mr. Haight also acknowledged that Mr. Singh is taking down the Chain Link Fence along Empire Road and replacing it with trees as a trade-off for the discrepancy of the Transom Windows.

Ms. Cohen noted that there is a sign on the building and questioned whether it complies. Ms. Becker reviewed the Town Code regarding signs and noted that a sign has to be limited to ten percent (10%) of the face of the building which would be fifty (50) square feet or less. Ms. Cohen acknowledged that the sign is much less than that.

SALVATORE CASCINO: It was noted that there was an article in the Columbia Paper about Salvatore Cascino once again dumping waste on his property.

Ms. Becker wanted it entered into the record that Salvatore Cascino is now building every one of the buildings that the Planning Board denied him in the 2008 Site Plan process.

STELLA ANASTASIA: Mr. Haight acknowledged that Stella Anastasia has withdrawn her application.

DOUGLAS HAUSEMAN: Mr. Haight advised that the Public Hearing for Douglas Hauseman was not published this month as the appropriate information of the adjacent neighbors was not received and will be carried over to next month. Ms DeConti clarified that she had been contacted by Mrs. Hauseman who informed her that the application was held over a month due to the fact that the buyer might back out. The Public Hearing will be advertised for next month if they decide to proceed forward.

ATTORNEY DOW'S OPINION ON T-MOBILE: Mr. Haight informed the Board that he had been contacted by T-Mobile regarding an antenna they would like to place on the Catamount Tower. He acknowledged that Attorney Dow provided a written opinion that will be forwarded to T-Mobile which states that Planning Board approval is needed.

SUMMER SCHOOL TRAINING: Mr. Haight advised that there is a Summer School Training Session for Planning Board members at a cost of \$80.00 per member and all copies that are given to him will be forwarded to the Town Board for payment. Ms. Becker made note of the fact that members will need to register for these classes. Mr. Sawchuk asked whether this is mandatory and Mr. Haight advised him that Board members need four (4) hours of training per year.

BOAT HOUSE: Mr. Haight acknowledged that he received a letter from the homeowners of the Boat House who what a Boundary Line Adjustment. However a non-conforming lot cannot be made more non-conforming. He questioned whether they can be sent to the ZBA regarding this.

CARRY OVER

The following matters were carried over to the next meeting:

2016-10 MINOR SUBDIVISION – DOUGLAS HAUSEMAN – Off Cove Road [Copake Lake]

ADJOURNMENT

There being no further business, on a motion made by Mr. Haight and seconded by Mr. Sawchuk, the Board voted unanimously to adjourn the meeting. The meeting was adjourned at 8:40 p.m.

Bob Haight, Chair

Please note that all referenced attachments, comprising 10 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 & DIANE LACONTE

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|------------------|----------------------------|
| May 20, 2008 | Baldwin to LaConte (1) |
| June 9, 2008 | Baldwin to LaConte (2) |
| November 5, 2008 | Albright to LaConte (1) |
| May 9, 2016 | LaConte to Chernewsky (1) |
| May 16, 2016 | Nostrand to Chernewsky (1) |

JOHN A. LANGDON LLC

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| May 6, 2016 | Short Form SEQRA (4) |
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