



COPAKE PLANNING BOARD

NOVEMBER 2, 2017

MINUTES

DRAFT

Please note that all referenced attachments, comprising 18 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 7:20 p.m. by Bob Haight, Chair. Also present were Marcia Becker, Julie Cohen and Ed Sawchuk. Chris Grant, Jon Urban and Steve Savarese were excused. Lisa DeConti was present to record the minutes. Attorney Ken Dow and Town Board Liaison Terry Sullivan were also present.

ZONING BOARD OF APPEALS – Referrals

2017-44 ZBA REFERRAL – SEYMOUR SIMON AND ELIZABETH RAE NEALON – Red Fox Lane [Copake]

- ZBA Request for Area Variance
- Survey Map
- Building Permit Denial
- Pictures

The Board reviewed the referral for Seymour Simon and Elizabeth Rae Nealon for a garage in the front yard. Ms. Becker made note of the fact that the applicant gave several reasons why this cannot be placed anywhere else due to the distance and topography of the property.

A letter will be written to the ZBA advising them that the Board had no issue with this application.

PUBLIC HEARING

2017-38 SITE PLAN REVIEW – GRJH INC. – State Route 23 [Craryville]

- Letter from Irene Sax dated January 19, 2017
- Letter from Rabbi Charles Simon dated January 19, 2017
- Petition with 61+ signatures against Convenience Store dated January 20, 2017
- Letter from Frank Cavazzini dated January 19, 2017
- Letter from Barbara and Steven Smith dated January 26, 2017
- Picture

Engineer Stephen Smith and Owner Alicia Metz appeared representing GRJH. After a brief discussion a motion was made to open the Public Hearing.

On a motion made by Mr. Haight and seconded by Ms. Cohen the Board voted unanimously to open the Public Hearing.

Mr. Haight asked if anyone would like to speak on this application.

Hillsdale Town Resident STEVEN SMITH ... Mr. Smith's concerns surround the Public Safety of the intersection as he feels it is a dangerous intersection where there have been several accidents. He feels a Traffic Study by the DOT is needed as well as a Traffic light.

Hillsdale Town Resident BARBARA SMITH ... Ms. Smith submitted a petition against approval of the Convenience Station. Ms. Smith also was in favor of traffic control at the intersection should the project be approved and suggested a traffic turning lane.

Hillsdale Town Resident MIKE DVORCHAK ... Mr. Dvorchak also had traffic concerns and questioned whether a Convenience Store suits the character of Craryville and asked if the Board can honor the design of the building to match the character of the town.

Copake Lake Resident BRAXTON BERNSTEIN ... Mr. Bernstein also had safety issue concerns and questioned whether the addition of a Convenience Store could hurt a neighboring business. He was against the project as he feels the addition of this project would be an eyesore and wouldn't match the existing character of the existing buildings.

Copake Lake Resident KAREN PAYSON... Ms. Payson felt this would not match the character of Craryville. She felt this would not create many jobs and also had safety concerns. She feels there should be a 4-way red light if the project is approved. She also felt this would detract from the country charm of the area and does not fit into the design.

Copake Resident FRAN MILLER ... Ms. Miller also had concerns about the safety of the intersection inasmuch as school busses go back and forth through the area. She questioned what is in the pipeline for the Town of Copake and had concerns that it would turn into the 'land of convenience stores.' She was not in support of this project.

Hillsdale Resident BARBARA SMITH ... Ms. Smith feels it is a bad idea to have the gas delivery trucks entering onto Craryville Road with cars coming down that road as speed limits are not always obeyed. She suggested a sign that posts the time delivery trucks would be making their deliveries.

Hillsdale Resident IRA MADRIS... Mr. Madris avoids the Craryville Road intersection as much as possible as he had an accident there. He feels a 4-way traffic light is needed. She also felt this does not enhance the rural charm of the area.

Craryville Resident LEIGH McBRIDE... Ms. McBride also had concerns about the safety issues that currently exist and feels the addition of a Convenience Store in this location would not enhance the rural charm of the area. She also feels this would not be of any economic benefit to the Town as it would not create many jobs.

Craryville Resident MARC SCHILDER... Mr. Schilder questioned whether this would be a 24/7 operation and was advised that this is not the plan as the area does not warrant it.

Copake Resident MARY KETZ... Ms. Ketz was also in agreement with everything said and feels a traffic study is needed. She questioned whether the applicant or Town is responsible for having a study done. Mr. Haight explained that an applicant is responsible for the expense when it involves their project. Ms. Becker did acknowledge that there were traffic concerns prior to this application and suggested the residents petition the Town Board regarding this. Mr. Haight will research whether the Planning Board can opt for one.

Hillsdale Town Resident STEVEN SMITH ... Mr. Smith had concerns that the addition of a convenience store will add to the congestion of the intersection and make it more dangerous than it is.

Craryville Resident RICHARD McCORMACK... Mr. McCormack also feels the addition of this project would further complicate the traffic situation. He asked whether there will be more than one entrance on Route 23. Mr. Haight advised that there will only be one entrance on Route 23. Alicia Metz, project owner, clarified that there will be one entrance/exit lane on Route 23. She also made note of the fact that some kind of traffic study must have been conducted by the DOT given the detailed comments she received from them. Mr. Haight also acknowledged that a separate entrance and exit were originally planned for the project but was not allowed by the DOT.

Copake Resident and Town Board Liaison TERRY SULLIVAN ... As a Town Resident Ms. Sullivan asked where the entrance on Craryville Road was in reference to the telephone pole in that area. Engineer Steven Smith explained that the only telephone pole shown on the survey is on the corner of Craryville Road and Route 23. He will look into this.

Copake Resident ANDREW FISHER ... Mr. Fisher asked what the anticipated traffic volume is during the day. Alicia Metz estimates that volumes are pretty consistent with the heaviest volume generally being between 8 am to 9 am in the morning and 4 pm to 7 pm in the evening. She also acknowledged that they are not against traffic studies as safety is their first concern. She also does not feel this will be a destination area. Resident Steven Smith feels that a Co-Brand vendor such as Dunkin Donuts will create a

destination area. Ms. Metz did acknowledge that there are no definite plans for a Dunkin Donuts at this time.

Hillsdale Town Resident BARBARA SMITH ... Ms. Smith asked the Board if there is a way they can possibly be contacted if the Town is unsuccessful in getting a Traffic Study. Mr. Haight reiterated that a petition can be submitted to the Town regarding this.

Mr. Haight closed this session of the Public Hearing, however, it remained open until next month.

SUBDIVISION/SITE PLAN

2017-38 SITE PLAN REVIEW – GRJH INC. – State Route 23 [Craryville]

- Department of Transportation Letter dated October 25, 2017

Engineer Stephen Smith and owner Alicia Metz appeared representing GRJH. Mr. Smith explained that they are pursuing their approvals from the Department of Transportation and acknowledged a letter detailing suggestions from them.

Mr. Smith also acknowledged that they are pursuing their septic system designs and have an appointment with the Department of Health this coming Tuesday for the perc tests. Mr. Smith also noted that there were no additions to the Site Plan at this time.

Mr. Haight asked whether the requested changes from the DOT were on the existing Site Plan and was advised by Mr. Smith that they are not. Mr. Haight explained that the reason he was asking this was because a complete set of plans will need to be sent to the Columbia County Planning Board and no approvals can be given until the Board hears back from them.

2017-43 SITE PLAN REVIEW – YANAI AND CHRISTINE FRANK – County Route 7A [Copake]

- Revised Site Plan

Christine Frank, who owns Copake Wine Works, appeared before the Board. She presented the revised Site Plan and pointed out the required parking spaces. She acknowledged the revised floor plan for the inside, the lighting, the well and septic system and the building dimensions. Ms. Frank made note of the fact that her proposed tenant is aware that a permit will be needed for any signage she will be adding. Mr. Haight asked what the tenant will be selling and was advised by Ms. Frank that she will be dealing with doorknobs.

Ms. Becker asked whether there were any elevations. Ms. Frank made note of the fact that this was not asked of her. Mr. Haight asked whether she was changing the outside and was advised

that no changes are planned. Mr. Haight acknowledged that elevations were not needed since no changes are taking place on the outside.

On a motion made by Mr. Haight and seconded by Ms. Becker the Board voted unanimously to approve the Site Plan for Yanai and Christine Frank on Route 7A in Copake dated August 29, 2017.

Mr. Haight will sign the Site Plan and leave them with the Town Clerk.

MINUTES

On a motion made by Mr. Haight and seconded by Ms. Becker the Board voted to approve the October 5, 2017 minutes.

ADMINISTRATIVE

PRIVATE GUN RANGE: Mr. Haight acknowledged a letter that was received from Jamie Purinton regarding the Tomahawk Strategic Solutions gun range in their neighborhood. He made note of the fact that the Building Inspector has been contacted and will be dealing with this.

TOWN OF EGREMONT: A Notice of Decision for a Variance for Donna Leep and Donald Waite on Main Street was received from the Town of Egremont.

JOE FLOOD MAJOR SUBDIVISION: Ms. Becker asked Attorney Dow to clarify the statement '*Attorney Dow advised him that this wouldn't be binding if the law changes*' that was on page 6 of the October 5th minutes. She asked whether the notes on the current map that the applicant previously agreed to will not be binding if the Town Law changes. Attorney Dow explained that someone who owns property should be able to take advantage of whatever laws exist at that time. He used the example that should someone own a residential property and the zoning is changed to commercial the owner can put a commercial building on his property. Attorney Dow explained that if you own land you can do what the current zoning allow you to. Ms. Becker questioned whether this would be binding inasmuch as the applicant agreed to the notes. Attorney Dow advised that this would depend on whether the change in the law affects the situation. Mr. Haight pointed out that if an applicant was denied by the ZBA for a garage in the front yard and the law states that a garage is now permitted in the front yard an applicant can now re-apply for the garage that was previously denied. Ms. Becker acknowledged that this would probably be on a case by case basis.

CARRY OVER

The following matters were carried over to the next meeting:

- 2017-31 SITE PLAN REVIEW – 13 LACKAWANNA PROPERTIES [BUILDING #1] –
Lackawanna Road [Copake]**
- 2017-32 SITE PLAN REVIEW – 13 LACKAWANNA PROPERTIES [BUILDING #2] –
Lackawanna Road [Copake]**
- 2017-41 BLA/MINOR SUBDIVISION – FRANK AND MARCIA PETEROY – Route 22 &
Old Highway 5645 [Copake]**

ADJOURNMENT

There being no further business, on a motion made by Mr. Haight and seconded by Ms. Cohen, the Board voted unanimously to adjourn the meeting. The meeting was adjourned at 8:20 p.m.

Bob Haight, Chair

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ADMINISTRATION

SEYMOUR SIMON & ELIZABETH RAE NEALON

August 23, 2017	Building Permit Denial (2)
September 15, 2017	ZBA Request for Area Variance (2)

GRJH INC.

January 19, 2017	Sax to CPB (1)
January 19, 2017	Simon to CPB (1)
January 19, 2017	Cavazzini to CPB (1)
January 20, 2017	Smith to CPB (6)
August 22, 2017	Smith to ZBA/CPB (3)
October 25, 2017	Visconti to Smith (2)