COPAKE PLANNING BOARD
JANUARY 20, 2020
MINUTES

DRAFT

Please note that all referenced attachments, comprising 90 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 7:00p.m. by Bob Haight, Chair. Also present were Chris Grant, Marcia Becker, Julie Cohen, Ed Sawchuk, and Jon Urban. Steve Savarese was excused. Attorney Ken Dow was also present. Lisa DeConti was present to record the Minutes.

ZONING BOARD OF APPEALS – Referrals

NONE

PUBLIC HEARING

2019-31 BOUNDARY LINE ADJUSTMENT– COPAKE LAKE GOLF LLC – Golf Course Road [Copake]

Mr. Haight opened the Public Hearing for the Boundary Line Adjustment of Copake Lake Golf LLC and asked if there was anyone present that would like to speak on this application.

Hillsdale Resident AMY DAVIDSON… Ms. Davidson questioned the process as the Public Hearing was not listed on the Agenda. Ms. DeConti acknowledged that this was inadvertently left off the Agenda however it did remain open from the previous meeting. Mr. Haight did advise Ms. Davidson that a Public Notice had been published in the newspaper and the Public Hearing was held open from the previous meeting.

No further comments…

- **On a motion made by Mr. Haight the Board voted unanimously to close the Public Hearing**

SUBDIVISIONS/SITE PLANS

2019-24 SITE PLAN CONFERENCE– ECO-SITE II, LLC & T-MOBILE NORTHEAST LLC – Overlook Road [Copake]

- Letter from Robert D. Gaudioso dated December 19, 2019
- Letter of Agency dated September 20, 2019
- Assessment Info dated December 19, 2019
- Letter from Harbir Singh, RF Engineer
- Coverage Maps
- Site Selection Analysis for Additional Locations
- Proposed T-Mobile SitesRadio Frequency Electromagnetic Energy Compliance Report
- Executive Summary
- MPE Calculations
- T-Mobile Antenna Inventory
- Summary and Conclusements
- MPE Analysis and Recommended Signage
- RoofView® Export File
- Mcrowave Modeling
- Certifications
- FCC Requirements
- Structural Design Letter dated October 31, 2019
- Collocation Certification
- Determination of No Hazard to Air NavigationAgricultural Data Statement
- Full Environmental Assessment Form
- EAF Mapper
- Affidavit of Mailing dated December 19, 2019
- Balloon Test Notice

Robert Gaudioso of Snyder and Snyder Law Firm appeared before the Board to represent the applicant. Mr. Gaudioso advised the Board that Steven Elsbree, Director of Construction Operations of Pyramid Solutions, Mr. Singh, RF Engineer of T-Mobile and Mr. Matthews of Taconic Engineering were also present.

Mr. Gaudioso acknowledged that since the applicant's last appearance they have posted notice of the upcoming Balloon Test which will take place on January 7th from 10 am to 2 pm. Mr. Gaudioso made note of the fact that the few trees that were slated for removal have been removed.

Mr. Gaudioso also noted that a View Shed Map showing proposed photo locations had previously been submitted. Mr. Gaudioso also advised the Board that if there are any additional locations that the Board would like addressed they could be e-mailed to him in advance so pictures can be taken and included.

Mr. Gaudioso made note of the fact that on December 19th a full application was submitted which included the

- Owners affidavit
- Radio Frequency Report
- Coverage Maps of all the alternative site analysis
- FCC Compliance Report. (*Mr. Gaudioso noted that the issue of radio frequency exposure is federally preemptive however the facility shows it will be less than 5% of the allowable FCC limit*)
- Structural Certification showing the tower will be structurally compliant of all the applicable codes.
- Co-Location Certification providing that co-location will be allowed as required by Town Code
- FAA Report stating that no lighting will be on the tower
- Agricultural Data Statement
- Full EAF
- Full Site Plan

Mr. Gaudioso acknowledged that a full application was also presented to the ZBA for a Special Use Permit. He made note of the fact that waivers were included for the height of the tower which is at one-hundred-forty-five feet (145') plus a five foot (5') lightning rod verses the Town Code which allows one-hundred and twenty-five feet (125'). He also noted that they have to be two and one-half (2½) times the height of the tower from the closest property line and they are one-hundred and sixty-six feet (166') away and fifteen-hundred feet (1,500') from the closest residence and the only residence within that distance is the residence of the property owner. Mr. Gaudioso commented of the fact that they believe they are within the one-hundred foot buffer because of the wooded nature of the lot.

Ms. Becker asked for clarification that a formal application has been submitted to the Board and Mr. Gaudioso acknowledged that one has formally been submitted. Ms. Becker questioned the fact that a previous application was dated September. Mr. Gaudioso clarified that this was submitted for the conference they requested however the full application was not filed until December 19th.

Ms. Becker then questioned why the applicant was asking for waivers instead of variances. Mr. Gaudioso explained that the applicant's believe the Town Code allows the Board to waive certain requirements however they did apply to the ZBA for any of the necessary variances that might be needed.

Ms. Becker also asked for clarification of the fact that there are co-applicants, Eco-Site II, LLC, T-Mobile Northeast LLC and Jane Biernbaum. Mr. Gaudioso explained that the co-applicants are T-Mobil and Eco-Site and Jane Biernbaum is the owner of the property. He explained that they are required to provide proof of ownership so that is why Ms. Biernbaum was included as a co-applicant. Ms. Becker made note of the fact that someone needs to hold the responsibility of the removal bond. Mr. Gaudioso acknowledged that the responsibility is addressed in Ms. Biernbaum's letter. He also pointed out that if removal was made a condition of the approval Eco-Site will be able to post the bond.

Attorney Dow suggested reviewing the Code regarding Telecommunications and referred to Chapter 230-6C which reads:

- *Findings by the Planning Board. The applicant shall comply with the requirements set forth in §§ **230-5** to **230-15B**, inclusive, and shall provide all information reasonably required by the Planning Board. The Planning Board shall, in consultation with independent consultants, make all of the following applicable findings before granting a site plan permit.*

Mr. Gaudioso addressed the issues and how they dealt with them.

1. ***Applicant is not already providing adequate coverage and/or adequate capacity to the Town of Copake***:

   Mr. Gaudioso addressed the fact that a report was submitted by Mr. Singh the RF Engineer which shows the coverage maps and explains that there is a need for the facility for coverage and adequate capacity in that area as there are 2 different frequencies providing in the area.

2. ***Applicant is not able to use an existing tower/facility, either within or outside of the Town of Copake, either with or without the use of repeaters, to provide adequate coverage and/or adequate capacity to the Town of Copake***:

   Mr. Gaudioso explained that Mr. Singh's report provides as Exhibit C a 30-mile radius of all the existing towers and notes that there is one facility over the border in Great Barrington and none of the existing facilities can be modified to provide that service within the Town. He also noted that the use of repeaters would not be adequate. Mr. Gaudioso addressed Exhibit B in the Report from Pyramid which notes that there are no existing towers that T-Mobile is already on that would be able to provide service in the area.

3. ***Applicant has endeavored to provide adequate coverage and adequate capacity to the Town of Copake with the least number of towers and antennas which is technically and economically feasible***.
   Mr. Gaudioso explained that the applicant is not overly concerned with the economic feasibility of the project and he made note of the fact that they are only proposing the one tower and have no future plans for any additional towers in the next five (5) years. He also added that they are minimizing the number of towers in that area by going the additional proposed height of the tower to cover the gap of coverage in that area.

4. ***Applicant will be providing at least 50% of its coverage to the Town of Copake***:

   Mr. Gaudioso acknowledged that this is not an issue and Mr. Singh's report addresses this.

5. ***Efforts have been made to locate new towers adjacent to existing towers***:

   Mr. Gaudioso explained that T-Mobil is already on the existing towers and there is nothing else available for them to cover the coverage gap.

6. ***Applicant has agreed to rent or lease available space on the tower under the terms of fair-market lease, with reasonable conditions and without discrimination to other telecommunications providers***:

   Mr. Gaudioso explained that the co-location letter he referenced addresses this and the tower itself shown on the drawings will be designed to support three (3) other co-locators not only on the tower but also in the base area facility.

7. ***Proposed telecommunications facility(s) or tower(s) should make use of available municipal lands if those lands conform with appropriate setbacks for this chapter, and where visual impact can be minimized***:

   Mr. Gaudioso pointed out that the Pyramid report which is attached as Exhibit 'B' to Mr. Singh's report notes that there are no municipal lands in the area that would cover the gap in the area.

8. ***The proposal shall comply with rules as adopted in FCC-97-326 and procedures outlined in FCC Bulletin 65 regarding emissions and exposure to electromagnetic radiation, and that the required monitoring program shall be paid for by the applicant***:

   Mr. Gaudioso noted that a report from EBI was submitted and shows that the facility will be at 4.2% of the allowable 100% limitation in accordance with federal regulations.

9. **<u>Towers and telecommunications facilities shall be located so as to minimize the following potential impacts</u>**:

   (a) ***Visual/aesthetic. Unless adequate coverage and adequate capacity cannot otherwise be achieved, towers shall be sited off ridgelines and where their visual impact is least detrimental to scenic areas and highly populated areas. In determining whether or not a tower will have an undue adverse visual impact on the scenic or natural beauty of a ridge or hillside, the Planning Board shall consider, but not be limited to*:**

   Mr. Gaudioso made note of the fact that a Visual Analysis will be done and the View Shed Maps have been submitted showing where the tower will be potentially visible. He explained that the tower has been brought off the ridge line and is on a large parcel that is approximately 22.6 acres. He added that they are basically trying to place the facility in the woods to be distant from residences so as to be best camouflaged.

[1] ***The period of time, and the frequency of viewing, during which the proposed tower would be seen by the traveling public on a public highway*****.**

[2] ***The degree to which the tower is screened by topographic features*****;**

[3] ***Background features in the line of sight to the proposed tower that obscure the facility or make it more conspicuous*****;**

[4] ***The distance of the proposed tower from the viewing vantage point and the proportion of the facility that is visible above the skyline*****:**

[5] ***The number of vehicles traveling on a public highway or waterway at or near the critical vantage point*****;**

[6] ***The sensitivity or unique value of the particular view affected by the proposed development*****.**

Mr. Gaudioso explained that they are hoping to address the above issues in the photographs and balloon test.

(b) ***Devaluation of property. Siting shall be in as low population density areas as possible*****.**

Again Mr. Gaudioso explained that they are on a large parcel adjacent to a large farming operation and there is only one home within that fifteen hundred foot (1,500') radius

(c) ***Safety hazards. In cases of structural failure, ice accumulation and discharge, and attractive nuisance*****.**

Mr. Gaudioso once again acknowledged that they have submitted the structural report showing the facility will be in compliance with the structural requirements and the facility will be fenced with an eight foot (8') fence with one foot (1') of barbed wire. Mr. Gaudioso added that the location is in a very remote location, the access drive will not be readily available and the facility is remotely monitored. He doesn't believe there will be any attractive nuisance related issues.

(d) ***Electromagnetic radiation, in case the tower, guy wires, or telecommunications facility is found to exceed the FCC guidelines*****.**

Mr. Gaudioso once again acknowledged that the EBI Report shows that the proposed project is in compliance.

Ms. Becker asked if the property is a separate parcel from the original Bierbaum property. Mr. Gaudioso's acknowledged that it is his understanding that this is a separate tax parcel.

Ms. Becker asked what the distance between the proposed tower and Audubon Society is as well as the distance between the Tower and Center Hill Road. She also questioned whether the

application should be referred to the Columbia County Planning Board (CCPB). Mr. Gaudioso felt this should go to the CCPB as the property is within the five-hundred feet (500') requirement. Mr. Gaudioso will provide the distance of the Tower to the Audubon Society.

Ms. Cohen asked whether the Balloon will be flown at the one-hundred and fifty foot (150') height and was advised by Mr. Gaudioso that it will be. He also noted that this will include the five foot Antenna height.

Mr. Gaudioso asked how the Board felt the SEQRA process will progress between the two reviews. Attorney Dow pointed out that in light of the extent of the Site Plan Review it would be suitable for the Planning Board to do the SEQRA and declare themselves lead agency.

- **On a motion made by Mr. Haight and seconded by Ms. Becker the Board voted unanimously to declare themselves lead agency in the Eco-Site II LLC and T-Mobile Northeast LLC application.**

Attorney Dow asked where the waiver provision Mr. Gaudioso referred to earlier was located in the Town Code. Mr. Gaudioso acknowledged that this was in the regular Site Plan Section of the Code.

Ms. Becker asked whether the applicant will provide a SWPPP for this application. Mr. Gaudioso explained that this is the applicant's intent as it would be beneficial for them to do this.

The applicant will return for the February meeting. Attorney Dow clarified that the waivers in the Town Code addressed earlier refer to paper submissions and maps and not relief for substantive requirements of the Code.

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]

- E-mail from David Weiner dated July 13, 2019
- E-mail from David Weiner dated December 5, 2019
- Images from Agriculture and Markets
- Letter from Sussman & Associates dated December 11, 2019
- Agricultural Lease between Salvatore Cascino and Lessee

David Weiner appeared with Attorney Michael Sussman to represent 13 Lackawanna Properties. Mr. Haight explained that when Frank Peteroy first submitted the applications for 13 Lackawanna Properties in 2017 he submitted two applications as Building #1 and Building #2. Mr. Haight noted that as the review progressed and the other buildings on the property were addressed the Master Plan came into play as it needed to be viewed as a whole and not building by building. Mr. Weiner did recall that two (2) applications were submitted and the process was restarted under the Master Plan so as to address the two (2) buildings that needed approval to get a Certificate of Occupancy

(C of O) and any future plans going forward. Mr. Weiner was surprised that a new application wasn't submitted when he returned to address the project. It was noted that the Master Plan came about as a by-product of the applications for the two (2) buildings.

Ms. Becker clarified that in reviewing the applications for the two (2) buildings the Board asked what the applicant's plans were going forward and Mr. Weiner acknowledged that Mr. Cascino still had long range plans for the full site development. Mr. Weiner asked if working under these two (2) applications was an issue going forward and asked whether he needed to submit another application. The Board did not feel this was an issue as combining the applications is an administrative issue. It was Mr. Sussman's impression from information that he received from Mr. Cascino and Mr. Weiner that the Board asked for a build out of all that was planned for the property and they did not want to proceed in a piece-meal way. Ms. Becker clarified that the Board cannot proceed piece by piece and has to move forward with whatever is intended to be built on the property.

It was Mr. Sussman's understanding that in January of 2019 a new Site Plan was presented showing the two (2) building, a future barn, the Green House and the Overhang and this is what the Board was considering with agriculture. Mr. Sussman acknowledged that if the Board needed more formalization they will provide that. Attorney Dow made note of the fact that the complexity of this applications confuses everyone and pointed out that one of the fundamental problems is that when Mr. Cascino came in years ago to apply for this it was determined by the Board and then upheld by the appellate division that the plans did not conform to being an agricultural farm operation. Attorney Dow also brought up the fact that there is a long history of waste being hauled, dumping on the property, etc. He also addressed the fact that there was an actual determination that the original plans did not qualify as a farm operation and pointed out that in light of that there is a whole level of review that is appropriate and warranted.

Mr. Sussman felt this could move forward quickly and the Board can make a determination in light of the Agriculture and Markets letter of December 5, 2019 that the Board will continue to treat this as Attorney Dow described above and then can be re-reviewed by the Court. Mr. Sussman acknowledged that what is needed by the Board is a decision. Attorney Dow clarified that a lot of the things that the Board is working on is based on different circumstances and some of the things that were requirements and were part of the Site Plan when it was not an Agricultural operation may no longer be applicable.

Mr. Sussman presented the Agricultural Lease between Mr. Cascino and the lessee of the Farm which has been long requested by the Board. Mr. Sussman felt this was a reasonable request by the Board and supplied this document which was entered into in 2016. He also noted that the lease is renewable in five (5) years which Mr. Cascino intends to renew at that time. It is Mr. Sussman's understanding from conversations he has had with Mr. Cascino that the uses that they are trying to get approved are relevant to the operation the Lessee is running. It is Mr. Sussman's desire to move the process forward. Attorney Dow acknowledged that this has been the Board's intent and they are not holding the applicant to the past however they do want information showing that the circumstances are truly different. He also noted that inasmuch as there have been credibility issues the Board is looking for information to corroborate some of the claims. Attorney Dow also noted that there has never been a resistance to accepting the change in circumstances and treating it accordingly.

Mr. Haight referred to the latest letter received from the Department of Agriculture and Markets showing pictures of sheep and cattle being raised. Mr. Haight also acknowledged the corn and hay being grown on the property and the statement in the Ag and Markets letter stating that there can be more than one farmer on a property. Mr. Haight also acknowledged that the biggest problem moving forward was whether or not the proposed project is a farm operation. It is Mr. Haight's belief that there is a farm operation on the property and asked whether the Board had any questions.

Ms. Becker questioned whether the Board had requested a site visit. Mr. Haight pointed out that Ag and Markets did a site visit and provided pictures from that visit. Ms. Becker made note of the fact that the Board did not have a site visit of the whole property. Mr. Haight noted that the request of a visit had been turned down. Ms. Becker asked if that is a possibility to help make that determination. Mr. Sussman acknowledged that although out of season he had no problem with a site visit. However, Mr. Sussman felt this request was obstructive as it is clear on the record what is going on and he pointed out that there are detailed findings from Ag and Markets as to the use of the property. Mr. Sussman also noted that Ag and Markets provided photos showing the operation is evident from the road. Mr. Haight also noted that he drives past Mr. Cascino's farm several times a day and it hasn't been until recently that he has seen cattle from the road. Mr. Sussman did feel that due to the time of year the Board wouldn't see a meaningful farm operation during a visit. Ms. Becker did note that the Board is aware of what farm operations are like it the winter.

Attorney Dow did advise the Board that they are bound by the determination by Ag and Markets. Mr. Haight questioned whether farming is the only operation that is taking place on the property. Mr. Sussman did acknowledge that Mr. Cascino has an office on the property as he has other businesses.

Attorney Dow made note of the fact that it was addressed in a newspaper that Copake Valley Farm is a registered waste hauler. Mr. Weiner stated that the farm was registered to take wood chips which they would mix with manure so as to compost it. Mr. Weiner did note that this venture did not work out and Mr. Cascino continued to farm the land. Mr. Weiner also pointed out that the ZBA ruled that the composting was considered an agricultural venture. Mr. Weiner also noted that the registration for this has been terminated. Attorney Dow also questioned the fact that a waste hauler had been bringing in debris. Mr. Weiner noted that what Attorney Dow refers to as waste hauling Mr. Cascino refers to it as reclamation. Mr. Sussman did point out that this is a historic discussion and does not concern what is presently taking place on the property.

Mr. Haight asked if any of the Board members felt a site visit was necessary. A discussion ensued regarding a site visit and the determination of whether or not there is a farm operation on the property. Attorney Dow acknowledged that there are case laws regarding decisions by Ag and Markets and the Board is bound by their determination. Ms. Becker acknowledged that the Board can be forced to view this as a farm operation due to this determination. Due to the fact that it has been determined by Ag and Markets that this is a farm operation Mr. Haight saw no reason for the Board to have a site visit and suggested moving on to the Site Plan. Ms. Becker asked if a determination had been made by the Board. Mr. Haight advised her that following Attorney Dow's advice a determination had been made by Ag and Markets and the Board is bound by that decision and should move forward accordingly.

The Board reviewed the Site Plan. Mr. Haight asked for clarification on the 24,900 square foot barn and whether livestock, feed and supplies are to be stored in this barn. Mr. Weiner acknowledged that this is correct and added that newborn livestock will be in here along with birthing pens. Mr. Haight asked how many heads of cattle are owned at this point. Mr. Weiner acknowledged that this was around forty (40) head. Mr. Haight made note of the fact that according to Ag and Markets the barn is too large for the existing farm operation. Mr. Weiner explained that they are constrained at this point without a barn.

Mr. Haight made note of the fact that there are a few issues with this application, one being that he was advised by Ag and Markets that the size of the barn is too large for this operation. Mr. Haight then addressed the fact that there are certain pieces of equipment on the property that are not conducive to farming. Mr. Haight brought up the fact that the pictures from Ag and Markets show a roller used to roll asphalt. Mr. Sussman made note of the fact that there is a huge amount of asphalt on Mr. Cascino's property and questioned whether it was appropriate or not for one of these pieces of equipment to be stored in the barn. Mr. Haight did make note of the fact that this roller is for construction and questioned whether the workers on Mr. Cascino's property are using this. Mr. Sussman stated that they are.

Mr. Haight then addressed the fact that there is also a grinder on the property and according to Ag and Markets this is not conducive to farming. Mr. Haight felt this needed to be removed from the property. Mr. Sussman questioned whether it was part of Site Plan in the Town of Copake to tell an individual what they can and cannot have stored on their property. Mr. Haight did note that there are some codes to that affect and pointed out that if a barn is intended for farming and it is used for other types of equipment it might be considered as a change of use. Mr. Sussman questioned whether there are any other pieces of equipment Mr. Haight had concerns with. Mr. Haight made note of the fact that a site visit was not done however he just happened to see these from the road.

Mr. Haight also questioned what appeared to be a mining operation on Mr. Cascino's property due to the fact that there is an excavator and jack hammer there. Mr. Sussman questioned whether Site Plan is contingent on the removal of these pieces of equipment that are unrelated to agriculture. Attorney Dow pointed out that the determination from Ag and Markets is that the fundamental basis for proceeding this way is that these things are being used for agriculture and if they are being used for equipment purposes for non-agricultural storage then they are not being used for agricultural purposes so there is no exception that applies in the first place.

Mr. Sussman questioned whether approval is contingent on the removal of any non-agricultural pieces of equipment. Attorney Dow acknowledged this. It was Mr. Sussmans understanding that the Board felt that non-agricultural equipment indicated the property was being used for something other than agriculture. Mr. Grant was confused as he was not in on the phone call with Ag and Markets when this was discussed. Attorney Dow made note of the fact that if a barn is being built for agricultural purposes it is subject to an agricultural review however building a storage building to store equipment doesn't get any special treatment as it is not agriculture. Attorney Dow added that if it is not agriculture one isn't entitled to the benefits that go with an agricultural venture. Mr. Sussman had no objections at this point to the issues being addressed.

A discussion ensued as to whether this application qualified as an Expedited Site Plan Review. It was noted that Ag and Markets determined an agriculture venture qualifies for this. Ms. Becker pointed out that it gives the Board more leeway to ask for other bits of information. Mr. Haight

once again noted that the barn size was an issue. Mr. Sussman acknowledged that the Board feels the barn needs to be amended to conform to the right size. Mr. Sussman will speak with Ag and Markets to see whether the barn needs to be a certain size. Ms. Becker questioned whether the non-agricultural equipment will need to be removed. Mr. Haight noted that this would be a condition of the final approval. Mr. Sussman was in agreement.

Mr. Haight also brought up the fact inasmuch as the farm market will be open to the public not only will a permit be required but all full inspections will be required as well. Mr. Sussman noted that the December 5, 2019 letter from Ag and Markets deals with this. Mr. Haight also asked whether there is anything from the Department of Health (DOH) concerning the septic system for the Farm Stand. Mr. Sussman asked whether this was in the files. Ms. Becker made note of the fact that this was built without a permit. Mr. Haight stated that he visited the DOH and inquired about this. He also made note of the fact that this was another instance of the illegal things that took place on Mr. Cascino's property. He also noted that there are additions being done to the farm market which is an illegal building such as concrete ramps at the front and railings.

Mr. Sussman asked whether there is an engineer that has any comments regarding this particular property. Attorney Dow did not believe there is one. Mr. Haight explained that the applicant establishes an Escrow for this purpose. Mr. Sussman did acknowledge that even in an Expedited Review issues such as questions about the proper documentation of the septic are reasonable. He also acknowledged that it would be helpful if the Board could provide a list of things that need to be addressed. Ms. Cohen felt an explanation and/or clarification of the purported mining operation going on at the back of the field should be addressed. Mr. Haight added that driveway permits for the farm market should be included on the list as well. Mr. Weiner believed this takes place after Site Plan approval. Mr. Haight asked whether the farm market will change in size. Mr. Weiner acknowledged that it would not. Mr. Haight then pointed out that inasmuch as the size will remain the same Mr. Weiner could contact the Department of Transportation regarding the driveway and permits.

Attorney Dow asked whether there were any permits for the buildings on the property. Mr. Haight believed there are none with the exception of some of the stone walls on the property. Attorney Dow questioned whether curb cuts should be gotten before the buildings are approved. Mr. Haight explained that approval is needed from the DOT as was done with the GRJH Inc. application. Mr. Grant questioned whether permits to the Town were missing and was advised that they are. He questioned whether the Board should be ascertaining other buildings until this was done as the Town Code states that other applications cannot be addressed when there are outstanding violation. Mr. Haight explained that the applicant was instructed by the Court to apply for building permits for these buildings that were illegally built.

Mr. Haight asked whether the Board had any other questions regarding any other buildings. Mr. Sussman suggested working out an Escrow with Attorney Dow so as to do a more comprehensive Site Plan Review through someone employed by the Board. Attorney Dow advised him that there is a process for this which will be provided to Mr. Sussman so that they can proceed in that direction. Mr. Sussman did acknowledge that there will be no further work on any of the buildings until Site Plan is complete.

A discussion ensued regarding Town Code 232-25C whereas the Building Inspector shall not issue any further building permits in relation to the parcel or lot on which the violation exists until such violation is removed or corrected.

- *C. Where a violation of this chapter is determined to exist, the Zoning Enforcement Officer shall serve a notice of violation by certified mail, return receipt requested, upon the owner, agent or contractor of the building, structure or lot where such violation has been committed or shall exist, and on the lessee or tenant of the part thereof or of the entire building, structure or lot where such violation has been committed and shall exist, and on the agent, architect, contractor or any other such person who takes part in or assists in such violation or who maintains any building, structure or lot on which any such violation shall exist. Such notice of violation shall direct the correction or removal of the violation within 30 days of the notice. A copy of such notice shall be provided to the Building Inspector. The Building Inspector shall not issue any further building permits in relation to the parcel or lot on which the violation exists until such violation is removed or corrected.*

Attorney Dow clarified that the Board can review a project and come to any approvals however the Building Inspector cannot issue any permits if an applicant is out of compliance. Mr. Grant noted that it should be in the letter that the applicant needs to remedy their existing violations. Ms. Becker explained that they originally came before the Board for the two (2) buildings that didn't have permits and then it was said that they were going to continue to build out the site. Mr. Haight acknowledged that they are taking steps to remedy the problem as instructed by the Judge.

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

- Letter from Zarin & Steinmetz dated December 15, 2019
- Form Letter from 26 Residents dated December 15, 2019
- Letter from Barbara Smith dated December 15, 2019
- Letter from Michael and Grace Sole dated December 15, 2019
- Letters from Guy Walker dated December 15, 2019
- Letter from Jon Furay dated December 15, 2019
- Letter from Amy Davidsen dated December 15, 2019
- Letter from Stanley Cohen dated December 15, 2019
- Letter from Kevin Kuenster dated December 15, 2019
- Letter from Anne Renda
- Complete Site Plan

Alicia Metz appeared representing GRJH. Mr. Haight acknowledged that there were no new submissions so now they need to proceed toward a vote. Attorney Dow suggested beginning with the Site Plan Check List to make sure the submissions are what they should be and nothing is missing. He also suggested identifying the specific documents that make up the complete Site Plan Approval… example: the application, the map, the SWPPP, etc. Attorney Dow then advised

that the Board go through the Code Provisions where there are either conditions to be met and/or considered or there are standards that need to be complied with and try to pin-point where everyone stands on the issue.

The Site Plan Check List was reviewed and addressed as follows:

(a) ***Title of drawing, including name and address of applicant and person responsible for preparation of such drawing***.

All items were included

(b) ***North arrow, scale and date***.

All items were included

(c) ***Boundaries of the property plotted to scale***.

Yes

(d) ***Location of all natural features, existing watercourses, wetlands, streams, ponds and lakes, areas subject to flooding, steep slopes***.

Yes

(e) ***Grading and drainage plan showing existing and proposed contours***.

Yes.

Mr. Sawchuk addressed items (d) & (e) and asked Attorney Dow what effect does the information that has developed have on the ZBA's determination. He questioned whether any of this information is cause to have the ZBA revisit their approval or review of this application. Attorney Dow explained that the ZBA review for the Special Use Permit is more conceptual than the Site Plan Review. They need to understand the scope of the operations, what is going to be done, the use of the land, etc. whereas the Site Plan deals with more precise things and how things are going to be configured. Fundamentally under the review that they took (which was prior to the new zoning) there was a very limited amount of things they needed to consider.

Attorney Dow explained that what they needed to consider is what is going there and is it a suitable place for what is proposed. He acknowledged that an expansion of the size, an expansion of the facilities or a change in the type of operations would certainly be outside the scope. He added that there hasn't been a change in any of the fundamental items since then and the things that were considered such as the drive through were removed from the plan for the very reason that the applicant did not want to return to the ZBA. Attorney Dow explained that any changes that were implemented since the ZBA review were all within the scope of the use that was approved to go there. Attorney Dow also noted that the Building Inspector has to ultimately decide that what the applicant is doing complies with the approvals that were granted.

Mr. Sawchuk then asked whether Item d (Location of all natural features, existing watercourses, wetlands, streams, ponds and lakes, areas subject to flooding, steep slopes) is from the applicant's perspective and does it include opposing viewpoints such as those of Save Craryville's expert. Attorney Dow pointed out that this is under the Board's judgment, knowledge and information as to whether they think that the Site Plan reflects to the extent one needs it to so they can make an appropriate determination. Attorney Dow made note of the fact that the members are now in a position to make their own decisions as to whether they think that this has been complied with and represented and if not is the time to raise that question.

Mr. Grant questioned whether any issues should correspond to areas where there is a significant impact as referenced through SEQRA. Attorney Dow explained that at this point the process is in the Code and whether you have what you need to come to a decision.

Mr. Sawchuk brought up the fact that the issue of subsurface conditions is a recent development and questioned whether the Board is qualified to determine the analysis of the experts. Attorney Dow pointed out that at this point by going through the Check List the Board is reviewing what the application contains and when the Board gets to the Review they take into consideration everything that was put in front of them and then can weigh conflicting information. Mr. Sawchuk questioned whether both Hydro-Geologists could be present at the January 11th Special Meeting. Attorney Dow made note of the fact that the Public Hearing has been closed and Ms. Becker addressed the fact that the Town has a report from their own Engineer to refer to. Attorney Dow pointed out that the Board is now in the position of a jury where all the evidence has been brought in and they now need to come to a decision.

(f) ***Location, design, type of construction, proposed use and exterior dimensions of all buildings***.

Yes

(g) ***Location, design and type of construction of all parking and truck loading areas, showing access and egress***.

Yes

(h) ***Provision for pedestrian access***.

Yes

(i) ***Location of outdoor storage, if any***.

Yes

(j) ***Location, design and construction materials of all existing or proposed site improvements, including drains, culverts, retaining walls and fences, including soil erosion and sediment control plan***.
Yes

(k) ***Description of the method of sewage disposal and location, design and construction materials of such facilities***.

Yes

(l) ***Description of the method of securing public water and location, design and construction materials of such facilities***.

Yes

(m)*Location of fire and other emergency zones, including the location of fire hydrants*.

N/A

(n) ***Location, design and construction materials of all energy distribution facilities, including electrical, gas and solar energy***.

Yes

(o) ***Location, size and design and type of construction of all proposed sig<u>ns</u>***.

Yes

(p) ***Location and proposed development of all landscaping, buffer areas, including existing vegetative cover***.

Yes. Ms. Becker pointed out that much of the buffer tree line is on the adjourning property and not on the applicant's property.

(q) ***Location and design of outdoor lighting facilities, in accordance with section 232-15***.

Yes

(r) ***Identification of the location and amount of building area proposed for retail sales or similar commercial activity<u>.</u>***

Yes

(s) ***General landscaping plan and planting schedule***.

Yes

(t) ***An estimated project construction schedule***.

Mr. Haight noted that he applicant has one (1) year after Site Plan Approval to begin the project before the Special Use Permit expires

(u) ***Record of application for and approval status of all necessary permits from state and county officials***.

The Board will review this list so as to account for everything.

(v) ***Identification of any federal, state or county permits required for the project's execution***.

The Board will review this list so as to account for everything.

(w) ***Zoning District in which property is located***.

The Property is located in the 'Hamlet Business District' as accounted for on the Site Plan

(x) ***Location, name and dimensions of all easements and right-of-ways***.

It was noted that these are mapped out, one for the DOT and the other for Craryville Road.

(y) ***Location and identification of historic structures, if any***.

N/A

(z) ***Elevation and façade treatment plans for all structures***.

Yes

(aa) ***Identification if property is in a New York State Agricultural District and if any active agricultural operation is being conducted adjacent or within 500 feet of the proposed property. If so, an agricultural data statement may be required***

N/A

(bb) ***The environmental assessment form pursuant to SEQRA, Part 617***.

Yes

The Board then reviewed Town Code 232-21J which Reads:

J. Review of site plan. Approval of a site plan shall be contingent upon a determination by the Planning Board that the site plan adequately protects the health and safety of the community and does not create any undue hazard, and, to the extent reasonably feasible, protects adjacent land uses and the environment, is compatible with neighborhood character and is consistent with the Comprehensive Plan. The Planning Board's review of the site plan shall include, as appropriate, but is not limited to, the following general considerations and, specifically, conformity with applicable specifications, regulations, and guidelines within this chapter related thereto:

Attorney Dow now advised the Board that this is where they now get into more of their judgments and determinations and are these things suitable.

(1) ***Location, arrangement, size, design and general site compatibility of buildings, lighting and signs***.

Ms. Becker feels the building is too big but does fall within the average size of other buildings in the immediate area. However she cannot impose her views on this as it does fall within the acceptance of the Code. Mr. Haight did note that there is a mix of different types of buildings in the area. Ms. Metz felt it was important to note that the location, the aesthetics, the color, the layout, the design and everything came out of a collaboration of different meetings and workshops of the Board and the public over a course of two and one-half (2½) years. She also noted that a lot of the decisions that were made to get them to this point, including the change in zoning were to get them to meet that bar. Mr. Grant also acknowledged that a lot of changes were made to come into conformance with the new Zoning Code.

(2) ***Adequacy and arrangement of vehicular traffic access and circulation, including intersections, road widths, pavement surfaces, dividers and traffic controls***.

Mr. Grant noted that this goes back to New York State with concerns of traffic safety and the vehicle study and the only mitigation would be a stop-light however that was declined. Mr. Haight brought up the fact that the Town asked New York State to look into this and the State turned it down. Ms. Metz made note of the fact that this was after three (3) separate reviews that took over a year. Ms. Metz also noted that there was a left hand lane issue that was also reviewed and turned down by the State.

Mr. Sawchuk felt the use of this corner for a service station is asking for a substantial increase in traffic and he feels this use invites excessive traffic which will make the intersection even worse. He also feels this is a bad use for the location. Mr. Haight pointed out that this is Mr. Sawchuk's opinion as there is no proof to this. Ms. Metz asked if Mr. Sawchuk felt any business on this corner would create traffic. Mr. Sawchuk views this particular use as defined by cars which will be coming and going in short periods of time and will attract an intense increase in traffic. Mr. Haight explained that this will not be a destination point where people come from miles and miles around. Ms. Metz pointed out that Route 22 is a major thoroughfare between Hudson and Great Barrington. Ms. Cohen sees it more as capturing existing traffic than bringing in new traffic.

Mr. Sawchuk again brought up the issue of the ZBA ruling and felt it should be revisited as he felt this was not a done deal. Mr. Haight noted that the ZBA process is complete and the application is now in Site Plan Review. Ms. Becker pointed out that what is done is that the Town determined that this is a permitted use. Mr. Urban pointed out that what Mr. Sawchuk is saying is that this particular use appears to be too much for him. Mr. Urban agreed with Mr. Sawchuk's view regarding the intersection and said he has always thought this intersection was a bad set-up with site-lines and speed. Mr. Haight made note of the fact that there aren't greater site-lines at other intersection in the Town.

Mr. Sawchuk feels this is not what we want for this community. Mr. Haight doesn't share Mr. Sawchuk's opinion and does not see a problem with the project. Ms. Metz made note of the fact that there hasn't been any empirical evidence to say that there is going to be additional traffic because of this project or any other project. She also pointed out that this issue was reviewed on three (3) different occasions and prepared by a pretty good company and it didn't even weight in enough to warrant a stop sign. She also added that she has never heard of a gas station as being a destination point. Attorney Dow suggested referring to these reports prior to the next meeting.

Ms. Becker also made note of the fact that the Town determined this is a permitted use in this location with the Special Use Permit. Attorney Dow pointed out that at the time that the Special Use Permit was issued requirements to grant a Special Use Permit were very minimal and Site Plan is a much more specific and detained review of very specific sets of things and a satisfactory result needs to be reached.

Mr. Haight did address the fact that some of them looked at other things at this intersection on Craryville Road such as Crosswalks or something that would slow traffic down but this could have the potential of problems as well. He also noted that due to public pressure the DOT did an additional review to address the possibility of a turn lane which they did not feel was necessary. Mr. Haight pointed out that this has been looked at several times. Mr. Sawchuk still had issue with kids that bike in that area. Ms. Metz pointed out that the proposed sidewalk would help alleviate this. Ms. Becker made note of the fact that GRJH is the only project in the area that is proposing a sidewalk.

(3) ***Location, arrangement, appearance and sufficiency of off-street parking and loading***.

Mr. Grant noted that this is in compliance with Town Code and Ms. Metz added that the parking was DOT approved. Mr. Haight asked if anyone had a problem with the parking. No one did.

(4) ***Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience and are properly designed and operated for public convenience, universal accessibility, public safety, and for consistency with rural road standards and desired aesthetic character***.

Ms. Metz once again addressed the fact that a sidewalk is planned as well as a concrete patio and handicapped parking. She also made note of the fact that future sidewalks are planned for both sides of the property. Mr. Urban asked if there were any designated crosswalks across Route 23. It was noted that there are none. Ms. Cohen addressed the fact that the State would have to approve a crosswalk across Route 23 however she questioned whether one could be put across Craryville Road. Mr. Haight brought up the fact that one was requested by the library on Route 22 to the park across the street and they were denied. Mr. Sawchuk asked whether the Board had any judgment regarding this. Attorney Dow clarified that the Board has a lot of judgment however the Town cannot put a traffic light or crosswalk on a State Route and have to petition the State to do these things. He added that they cannot do them on their own.

Mr. Sawchuk had concerns that kids would be crossing the street to walk to the convenience store. Ms. Metz pointed out that the kids could cross the street at the traffic light at the intersection of the school. Ms. Cohen and Mr. Haight didn't think the kids would walk the distance from the school to the convenience store.

(5) ***Adequacy of stormwater and drainage facilities***.

Ms. Metz brought up the fact that approvals have been received for this and Mr. Haight noted that the Town Engineer has also reviewed sections of this. Mr. Haight also believed the DOT reviewed this several times as changes were made.

(6) ***Adequacy of water supply and sewage disposal facilities***.

Ms. Metz noted that the DOH signed off on the Perc Test and along with their engineer did some subsequent tests. Ms. Cohen brought up the fact that there will be continued monitoring of the water because it is water that serves the public.

(7) ***Adequacy, type and arrangement of trees, shrubs and other landscaping constituting a visual and/or noise buffer between the applicant's and adjoining lands, including the maximum retention of existing vegetation***.

Ms. Becker addressed the fact that she noticed that the trees creating a buffer are on the adjacent property and she felt the applicant should have some kind of buffer on their property. Ms. Metz pointed out that trees are planned on the Post Office side. Ms. Becker did acknowledge some trees and/or hedges that are planned.

(8) ***Adequacy of fire lanes and other emergency zones and the provisions of fire hydrants***.

This was reviewed during the process and it was noted that there is a firehouse across the street from the site. Ms. Cohen also noted that if delivery trucks access was adequate fire truck access would be adequate as well.

(9) ***Special attention to the adequacy and impact of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion***.

Ms. Metz brought up the fact that the waste-water treatment facility will account for as much of the stormwater as possible. It was also noted that there are retention ponds as well.

(10) ***Compatibility of the site plan with the goals, policies and standards set forth in the Town of Copake Comprehensive Plan***.

This will be reviewed at the Special meeting on January 11th.

(11) ***Preservation, to the extent feasible, of significant natural, cultural, and historical features on the site (i.e. hills, water bodies, wetlands, vernal pools, stream buffers and streamside vegetated buffers, trees, tree groves, wooded areas, rock outcrops, native***

plants, wildlife habitats, scenic locations, historical locations, and other areas of aesthetic and ecological interest).

It was noted that this doesn't apply to the proposed site.

(12) ***Pollution of air, streams, wetlands, ponds, lakes, soils and groundwater supplies is avoided to the maximum extent practicable or mitigated***.

Ms. Becker made note of the fact that there is a lot of data regarding this and the engineer also commented on this. This will also be addressed at the Special January 11th meeting.

(13) ***Compatibility of the development with its surroundings and in accordance with Section 232-1 of this zoning law***.

Mr. Haight noted that this was reviewed earlier in the meeting.

(14) ***Glare and light pollution that may be associated with new development***.

Mr. Haight addressed the fact that there is a lighting plan showing this and the Town Engineer reviewed this as well.

(15) ***Compatibility with active agricultural activities. The Town of Copake Conservation Advisory Committee or Town of Copake Agricultural Advisory Committee, as they exist, or other local agricultural support agencies such as the Columbia County Soil and Water Conservation District, may be consulted regarding significance, location and type of agricultural activities that may be impacted by the proposed development***.

Ms. Cohen believed that the proposed site is not in an Agricultural District. Mr. Haight brought up the fact that he asked the Agricultural Advisory Committee about this and they were not concerned about it. Attorney Dow questioned whether there was a farm behind the proposed site. Mr. Haight clarified that the land behind the site is being used for hay. Ms. Cohen pointed out that an agricultural use can be in a non-agricultural district. After reviewing the map Ms. Becker noted that the site is in an agricultural district. Attorney Dow suggested reviewing this.

(16) ***Adequacy of control measures to prevent ground water or surface water contamination***.

Ms. Metz noted that this is addressed in the SWPPP. Ms. Cohen also noted that this was reviewed by the Town Engineer.

(17) The proposed use will not result in reductions in groundwater levels or changes in groundwater quality that limit the ability of a groundwater user to withdraw ground water.

Mr. Haight acknowledged that he reviewed the Copake Water Study that was done and the use of a gas station amounts to the use of about two (2) houses. Mr. Sawchuk believed if they have bathrooms that are open to the public more water will be used.

The following items will be reviewed at the next meeting.

(18) ***General Commercial Design Standards for Town of Copake. See also Design Standards required within the Scenic Corridor Overlay Zone. While it is not the intent of the Town to overly regulate the appearance of the Town, it is beneficial that growth and new construction, as well as renovation should be consistent with the sense of 'neighborhood' which currently exists. Thus, new development should be similar in context and compatible with existing development. These guidelines are intended to be general in nature and not to restrict creativity, variety or innovation. During project development and review, attention should be given to the compatibility of adjoining developments when reviewing project proposals. The following design guidelines are for commercial development only***:

(a) ***Context and Compatibility. New development should be similar in context and compatible with existing development. Context and compatibility with respected neighborhood buildings can be judged by the following major points of comparison***:

[1] ***Roof shapes, slopes and cornices are consistent with the prevalent types in the area; [2] Rhythm of building spacing along the street and overall scale are not interrupted; [3] Proportions for facades and window openings are in harmony with the traditional types within the district; [4] Materials, textures, and colors are similar, with natural and traditional building materials preferred; [5] Site details (porches, entrances, signs, landscaping, lighting, screened parking and mechanical systems) complement traditional examples in the area; and [6] Design standards for agricultural businesses and other non-residential uses in the RU zoning district are established to ensure that the character of the buildings used protects the rural character of the area. These should emphasize 'farm like' buildings, including gambrel roofs, wood siding, and a traditional appearance***.

(b) ***Building Placement.***

[1] Buildings shall be designed so that entrance doors and windows, rather than blank walls, garages, side walls or storage areas, face the street. Blank walls for commercial applications are discouraged but may be allowed at the discretion of the Planning Board under certain circumstances such as when the structure is along an alley or when facing another blank wall; and [2] The front façade of the building shall be parallel to the main street unless traditional orientation of buildings on that street differs for the majority of buildings.

(c) Building Scale. The scale and mass of buildings shall be reviewed by the Planning Board during Site Plan Review and determined to be compatible with that of adjacent and nearby buildings as viewed from the all exposed (public) vantage points.

(d) Building Façades

[1] Exterior materials of new construction (and or renovation) shall be compatible with those traditionally used in the Hamlet Business District; and [2] The road side of the building should look like the front façade.

(e) ***Roof Types and Materials. All roofs shall be pitched with a minimum pitch of 5" vertical rise for each 12" horizontal run and have a roof overhang of traditional proportions on all structures. Muted colors are encouraged but not required.***

Attorney Dow addressed the fact that more review will take place at the Special January 11th meeting. He also suggested the Board review Section 232-21H3 of the Town Code which reads:

(3) Additional Requirements for Site Plans. If, upon a review of the materials submitted by the applicant, the Planning Board determines that a proposed project subject to site plan review, other than a single-family or two-family residence, could have traffic, visual, groundwater, or stormwater impacts, the Planning Board may require the applicant to prepare and submit applicable information, studies, reports and plans, as follows. Costs for all studies, reports, assessments, or plans required by the Planning Board shall be borne by the applicant.

(a) Groundwater impact information:

[1] Copies of New York State Department of Environmental Conservation Well Completion Reports for completed well(s) (including the well log and pump test data); [2] Any and all water quality testing results; [3] The location(s) of all public water systems and other groundwater users within 1,500 feet of the proposed development boundaries; [4] The proposed means of storage, distribution, use, treatment, and/or disposal of wastewater, other wastes, chemicals, etc.; [5] The proposed means of water supply, including if applicable an estimate of the total daily groundwater withdrawal rate; [6] A list of all petroleum, chemicals, pesticides, fuels and other hazardous substances/wastes to be used, generated or stored on the premises; [7] A description of the pollution control measures proposed to prevent ground water or surface water contamination; and [8] A statement as to the degree of threat to water quality and quantity that could result if the control measures failed.

(b) Traffic Report. Traffic Reports shall include the following for the study area:

[1] Internal traffic flow analysis; [2] Existing and projected average daily traffic and peak hour levels; [3] Existing and projected intersection levels of service (LOS); [4] Directional vehicular flows resulting from the proposed project; [5] Proposed methods to mitigate the estimated traffic impact; [6] Identification of any pedestrian crossing issues; and [7] The methodology and sources used to derive existing data and estimations.

(c) Visual Impact Report. The Visual Impact Assessment shall be prepared by a registered Landscape Architect or other qualified professional and shall include:

[1] A report that visually illustrates and evaluates the relationship of proposed new structures or alterations to nearby natural landscapes and to pre-existing structures in terms of visual character and intensity/scale of use (e.g. scale, materials, color, door and window size and locations, setbacks, roof and c ornice lines, and other major design elements); [2] An analysis of the visual impacts on neighboring properties from

the proposed development and alterations, and of the location and configuration of proposed structures, parking areas, open space, and gradient changes; and [3] The Planning Board may require use of photo-simulations or balloon tests as part of the visual impact assessment.

(d) Stormwater Management Plan. The contents of the stormwater management plan shall contain sufficient information for the Planning Board to evaluate the hydrological and hydrological-dependent characteristics of the land to be developed, the potential and predicted impacts of land development on the local hydrology, and the effectiveness and acceptability of all measures proposed by the applicant for reducing adverse impacts. The stormwater management and stormwater pollution prevention plans shall be prepared in compliance with the Stormwater Design Manual of the New York State Department of Environmental Conservation State Pollutant Discharge Elimination System (SPDES) program and with the requirements of the Environmental Protection Agency's Phase II National Pollutant Discharge Elimination System (NPDES) regulations. The Planning Board shall also review the project in relation to the Town of Copake Comprehensive Plan (Water Study).

(e) Hydrogeological Study. The Planning Board may require a hydrogeological study for any proposed project that has projected on-site groundwater withdrawals and/or on-site sewage disposal flows equal to or exceeding 2,000 gallons per day (gpd).

2019-31 BOUNDARY LINE ADJUSTMENT– COPAKE LAKE GOLF LLC – Golf Course Road [Copake]

- Survey Map

Jon Urban recused himself so that he could present this application. Mr. Urban reminded the Board that he would like to subdivide a twenty by twenty foot (20' x 20') parcel and merge it with an adjourning parcel for a dock. After discussion…

- **On a motion made by Mr. Haight and seconded by Mr. Sawchuk the Board voted unanimously to approve the Boundary Line Adjustment for Copake Lake Golf LLC from a survey map dated December 2, 2019 subject to a stamp by the surveyor.**

MINUTES

The Minutes of the November 7, 2019 meeting were approved by the Board.

- **On a motion made by Mr. Haight and seconded by Ms. Becker the Board voted unanimously to approve the minutes of the December 5th meeting.**

ADMINISTRATIVE

NONE

CARRY OVER

The following matters were carried over to the next meeting:

2019-18 BOUNDARY LINE ADJUSTMENT– PAUL & NANCY MILLER – Empire Road [Copake]

ADJOURNMENT

There being no further business…

- **On a motion made by Ms. Becker and seconded by Mr. Grant the Board voted unanimously to adjourn the meeting. The meeting was adjourned at 9:40 p.m.**

_____

Bob Haight, Chair

Please note that all referenced attachments, comprising 90 pages, are on file with the Copake Town Clerk and in the Planning Board office. <u>The referenced attachments are filed in the individual project files.</u> An annotated listing follows:

ADMINISTRATION

ECO-SITE II, LLC AND T-MOBILE NORTHEAST LLC

October 31, 2019	Matthews to Eco-Site (1)
November 13, 2019	Full Environmental Assessment Form & EAF Mapper (15)
December 19, 2019	Gaudioso to Haight/CPB (3)
	Singh to Haight/CPB (5)

13 LACKAWANNA ROAD

May 1, 2016	Agricultural Lease (1)
July 12, 2019	Weiner to CPB (3)
December 4, 2019	Haight/Ag & Mkts to CPB (12)
December 5, 2019	Weiner to CPB (1)
December 11, 2019	Sussman to Haight/CPB (3)

GRJH INC.

December 15, 2019	Rode/Zarin/Richmond to Haight/CPB (4)
December 15, 2019	Gulati to Haight/CPB (1)
December 15, 2019	Gallager to Haight/CPB (1)
December 15, 2019	Feeney to Haight/CPB (1)
December 15, 2019	Smith to Haight/CPB (1)
December 15, 2019	Johnson to Haight/CPB (1)
December 15, 2019	Priester to Haight/CPB (1)
December 15, 2019	Mackey to Haight/CPB (1)
December 15, 2019	Davey/McCabe to Haight/CPB (1)
December 15, 2019	Parzuchowski to Haight/CPB (1)
December 15, 2019	Fuhr to Haight/CPB (1)
December 15, 2019	peabody to Haight/CPB (1)
December 15, 2019	Sax to Haight/CPB (1)
December 15, 2019	Walker to Haight/CPB (1)
December 15, 2019	Braun/Forgione to Haight/CPB (1)
December 15, 2019	Pilcer to Haight/CPB (1)
December 15, 2019	Mirabell to Haight/CPB (1)
December 15, 2019	Getz to Haight/CPB (1)
December 15, 2019	Paterson to Haight/CPB (1)
December 15, 2019	Kalfus to Haight/CPB (1)
December 15, 2019	Berk to Haight/CPB (1)
December 15, 2019	SEnk to Haight/CPB (1)
December 15, 2019	Howe-Jones to Haight/CPB (1)
December 15, 2019	Miller to Haight/CPB (1)

December 15, 2019	Berger/Moerman to Haight/CPB (1)
December 15, 2019	Bolevice to Haight/CPB (1)
December 15, 2019	Katz to Haight/CPB (1)
December 15, 2019	Smith to Haight/CPB (1)
December 15, 2019	Renda to Haight/CPB (2)
December 15, 2019	Sole to Haight/CPB (1)
December 15, 2019	Walker to Haight/CPB (4)
December 15, 2019	Furay to Haight/CPB (1)
December 15, 2019	Davidsen to Haight/CPB (4)
December 15, 2019	Cohen to Haight/CPB (1)
December 15, 2019	Kuenster to Haight/CPB (2)