



TOWN OF HURLEY PLANNING BOARD

PO BOX 569

Hurley, New York 12443

planning@townofhurley.org

(845)331-7474 Ext. 6

PLANNING BOARD MINUTES

Thursday, 2023-10-26 @ 6:00 p.m.

Present: Peter McKnight, Chair; Debra Kossar; Dennis O'Clair, Alternate 1-Mitch Cohen

Absent: Karl Brueckner; Griff Liewa, Kathryn Kiewel, Vice-Chair Diana Cline;

Also Present: John Lyons, ESQ.; Kim Garrison, ESQ., Paul Economos, ZEO

I. 6:04PM-Chair Peter McKnight Opened the meeting, stated Alternate 1-Mitch Cohen would be sitting in as Vice-Chair Kathy Kiewel for all Applications. He acknowledged with that Member adjustment there is a quorum and asked all to rise for the Pledge of Allegiance.

The Clerk stated there are copies of any draft Resolutions the Board will entertain, the Agenda and a pad for audience members who intended to speak on the table.

II. 6:15-Public Comment

Chair Peter McKnight read the rules for Public Comment into the record.

Official Actions: Alternate 1 Mitch Cohen motioned to open public comment; member Deb Kossar seconded the motion. There being no discussion and the motion having been made and seconded, the motion was thereupon called to a vote, which passed with the following record of votes:

Member	Vote
Peter McKnight, Chairman	Aye
Diana Cline	Aye
Karl Brueckner	Absent
Dennis O'Clair	Aye
Kathryn Kiewel	Absent
Griff Liewa	Absent
Debra Kossar	Aye
Alternate 1-Mitch Cohen	Aye

Motion was carried by five (5) AYES; zero (0) Nays; three (3) Absent, Karl Brueckner, Kathryn Kiewel, Griff Liewa; and 0 Abstentions

Jordan Bem-Arizona Investments has been trying to get an answer regarding heritage Drive.

Attorney John Lyons told him he has the information, and is reviewing.

Official Actions

Chair Peter McKnight motioned to close Public Comment; Alternate 1 Mitch Cohen seconded the motion. There being no discussion and the motion having been made and seconded, the motion was thereupon called to a vote, which passed with the following record of votes:

Member	Vote
Peter McKnight, Chairman	Aye
Diana Cline	Aye
Karl Brueckner	Absent
Dennis O'Clair	Aye
Kathryn Kiewel	Absent
Griff Liewa	Absent
Debra Kossar	Aye
Alternate 1-Mitch Cohen	Aye

Motion was carried by five (5) AYES; zero (0) Nays; three (3) Absent, Karl Brueckner, Kathryn Kiewel, Griff Liewa; and 0 Abstentions

III. Public Hearing:

- 6:20PM-File-2023-Graff/Osterhoudt-#11-Major Sub-Division-Graff Trust-46.2-2-38.200 & 47.3-4-26-Osterhoudt-SBL-47.3-2-2



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Thursday, 2023-10-26 @ 6:00 p.m.

Applicants: Gary Graff (Trust) & Dean & Kristian Osterhoudt

Location: Graff-Spillway & Stone Rds./Osterhoudt-Irmer Rd/A-2.5 zoning/total acres:118.11-Graff(83.50); Osterhoudt (34.6)

Application: Major Sub-division

Need: SEQRA classification & verification of LLA not re-subdivision

Update: Public hearing on Preliminary Plat; new map submitted

Chris Zell, Dean Osterhoudt and Kristian Osterhoudt were present to represent the file

Official Actions

Member Deb Kossar motioned to re-open the public hearing; Alternate 1 Mitch Cohen seconded the motion. There being no discussion and the motion having been made and seconded, the motion was thereupon called to a vote, which passed with the following record of votes:

Member	Vote
Peter McKnight, Chairman	Aye
Diana Cline	Aye
Karl Brueckner	Absent
Dennis O'Clair	Aye
Kathryn Kiewel	Absent
Griff Liewa	Absent
Debra Kossar	Aye
Alternate 1-Mitch Cohen	Aye

Motion was carried by five (5) AYES; zero (0) Nays; three (3) Absent, Karl Brueckner, Kathryn Kiewel, Griff Liewa; and 0 Abstentions

Chair Peter McKnight called for Public Comment three (3) times.

There being no public comment. Alternate 1 Mitch Cohen motioned to close the public hearing on the Preliminary Plat; Member Deb Kossar seconded the motion. There being no discussion and the motion having been made and seconded, the motion was thereupon called to a vote, which passed with the following record of votes:

Member	Vote
Peter McKnight, Chairman	Aye
Diana Cline	Aye
Karl Brueckner	Absent
Dennis O'Clair	Aye
Kathryn Kiewel	Absent
Griff Liewa	Absent
Debra Kossar	Aye
Alternate 1-Mitch Cohen	Aye

Motion was carried by five (5) AYES; zero (0) Nays; three (3) Absent, Karl Brueckner, Kathryn Kiewel, Griff Liewa; and 0 Abstentions

Chair Peter McKnight read the Preliminary Plat resolution into the record

“Actions by Resolution:

Having considered all potential impacts, having determined an Environmental Impact Statement is not required, At a duly noticed meeting, following a duly noticed public hearing, a motion was made by member Alternate 1 Mitch Cohen; and seconded by Member Deb Kossar and following a roll call of the members present, the Planning Board



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issue Preliminary Plat approval of File 2023-#11-Graff (SBLs 46.2-2-38.200 & 47.3-4-26) & Osterhoudt (SBL 47.3-2-2)the Major sub-division

Conditions: None

The Clerk conducted a Roll Call

Peter McKnight, Chair X Aye; ____ Nay; ____ Absent; ____ Abstain

Kathryn Kiewel, Vice-Chair ____ Aye; ____ Nay; X Absent; ____ Abstain

Karl Brueckner ____ Aye; ____ Nay; X Absent; ____ Abstain

Griff Liewa ____ Aye; ____ Nay; X Absent; ____ Abstain

Debbie Kossar X Aye; ____ Nay; ____ Absent; ____ Abstain

Dennis O'Clair X Aye; ____ Nay; ____ Absent; ____ Abstain

Diana Cline X Aye; ____ Nay; ____ Absent; ____ Abstain

Mitch Cohen, Alternate 1 X Aye; ____ Nay; ____ Absent; ____ Abstain

The motion having been made and seconded passed by a roll call of five (5) Ayes; zero (0) Nays; three (3) Absent; zero (0) Abstentions

2. 6:20- File 2023-#10-Beesmer/Nekos-SBLs-46.2-2-22.300&46.2-2-25-SD&LLA

Location: Stone Rd/A-2.5/9.3Acres

Need: SEQRA classification Unlisted at 2023-09-28 meeting

Update: new Map submitted;

Mike Beesmer was present to represent the file. The buyer of future lot #1 was also present as well as the Nekos.

Applicant Comments

Mr. Beesmer stated he read up on 280-A. In anticipation of the issue, he revised the map to give the future lot #1 owner his own strip for just a driveway and has created a potential 50' wide strip to attach to his remaining lands behind the 9 acres being sub-divided. He had a brief conversation with the County and they seemed on board with the proposal.

Attorney Comments

Attorney John Lyons stated 280-A may be an issue. The NYS section 280-A states that in order to get a building permit, a lot must have direct access to a public road. If proposed lot#1 uses a shared access, without the Town designating the area as an Open Development Area (hereafter ODA), technically, it does not meet 280-A. Creating the separate accesses is certainly the easiest route if the County will approve it. Alternately, the Planning Board can recommend to the Town Board to create an ODA that includes all the lots involved.

Board Questions/Comments

Alternate 1 Mitch Cohen stated if lot #1 has it's own driveway, it would then become a flag-lot? Yes

Dennis O'Clair-isn't a ROW enough? Attorney Lyons stated it can be, but it may need other approvals in order to be legal to get a building permit.

Paul Economos, ZEO stated he is not generally in favor of Flag-lots, but if it is the best option, he will accept it.

Official Actions

Alternate 1 Mitch Cohen motioned to open the public hearing; Member Deb Kossar second the motion. There being no discussion and the motion having been made and seconded, the motion was thereupon called to a vote, which passed with the following record of votes:

Member	Vote
Peter McKnight, Chairman	Aye
Diana Cline	Aye



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Karl Brueckner	Absent
Dennis O'Clair	Aye
Kathryn Kiewel	Absent
Griff Liewa	Absent
Debra Kossar	Aye
Alternate 1-Mitch Cohen	Aye

Motion was carried by five (5) AYES; zero (0) Nays; three (3) Absent, Karl Brueckner, Kathryn Kiewel, Griff Liewa; and 0 Abstentions

Chair Peter McKnight asked if there were public present who wished to speak.

There being none, Alternate Member 1 Mitch Cohen motioned to continue the public hearing to the 2023-11-30 meeting at 6:11PM or as soon thereafter as Agenda requires; Member Diana Cline seconded the motion. There being no discussion and the motion having been made and seconded, the motion was thereupon called to a vote, which passed with the following record of votes:

Member	Vote
Peter McKnight, Chairman	Aye
Diana Cline	Aye
Karl Brueckner	Absent
Dennis O'Clair	Aye
Kathryn Kiewel	Absent
Griff Liewa	Absent
Debra Kossar	Aye
Alternate 1-Mitch Cohen	Aye

Motion was carried by five (5) AYES; zero (0) Nays; three (3) Absent, Karl Brueckner, Kathryn Kiewel, Griff Liewa; and 0 Abstentions

SEQRA

Attorney Kim Garrison, ESQ. stated with this being an Unlisted action, a part II Short Environmental Assessment form (SEAF) and draft determination of significance will be prepared and circulated as necessary

IV. Old Business:

1. 6:50PM-File 2023-#17-Lokensgard-SBL-46.2-2-18.100-SUP-SP

Location: 1215 Rte. 28A/A-4/ 9acres

Application: Visual Assessment

Need: accept withdrawal of Accessory Apartment

Update: Applicant withdrew the request for an Accessory Apartment

Board Comments

Alternate 1 Mitch Cohen stated he was driving past there and had to stop for a truck pulling in the driveway and when he looked down, he could see the garage/pole barn. He did not feel it was objectionable, he did notice it has a blue roof.

Member Dennis O'Clair stated he doesn't feel the roof color is objectionable. It is not obvious from the road, you have to stop and look down to see it.

Attorney Comments-

Kim Garrison, ESQ. stated that the Board should decide if the blue roof is acceptable

Official Actions

Chair Peter McKnight read the applicable part of the Resolution into the record:

Findings of Facts and Conclusions of Law



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The pole barn is constructed of a gray standing-seam metal with 2 over 2 windows and a cadet blue standing seam metal roof. It sits on the existing foundation from the old cabin.

There is a white garage door and one (1) white human door.

There are no exterior lights.

The pole barn sits down into the lot and is not visible from Rte 28A nor any neighboring properties.

There is no new landscaping associated with the pole barn.

The Planning Board determines that the proposed building will not be visible from nearby roadways or significant viewing points, and it will have no visual impact. At the site visit, it was concluded by the Planning Board that the building is tucked within the rest of the property and will have no significant negative visual effect on the area.

The proposed single-family residence is not in proximity to the edge of the escarpment.

Actions by Resolution

NOW, THEREFORE BE IT RESOLVED, based on all the facts described above and upon the reasoning described above, as follows:

- Section 1. The Planning Board finds that the pole barn is tucked within the site. The proposed building will not be significantly visible from nearby roadways or significant viewing points, and it will have no adverse visual impact. Upon having conducted a Site Visit and having discussions with the Applicant, the Board determined the building will not be significantly visible from most viewing angles.
- Section 2. The granting of this visual assessment approval shall be expressly contingent upon the Applicant's full payment to the Town of Hurley of any and all fees and escrow deposits due in connection with this application and in full compliance with Chapter 19 "Escrows and Consultants Fees" of the Town of Hurley Zoning Code.
- Section 4. The granting of this approval does not absolve the Applicant and the Property Owner from having to secure any other required permits and/or approvals.

Section 5: Existing vegetation and natural growth shall be retained to the maximum extent practicable to screen buildings and to avoid distinct boundary edges between natural vegetation and developed sites.

Section 6: to maintain the night sky visibility, the following conditions are placed on all outside lighting:

- A. All lights must be dark-sky compliant
- B. All lights must have shields on them to prevent spillage into the night sky
- C. No outside light can be greater than 3,000Kelvin or Lux Equivalent
- D. All outside lighting, including motion-activated light must be set to turn off no longer than 15 minutes after being activated.
- E. All lights must be incandescent or the equivalent

Section 7: The Applicant shall provide five (5) copies of a revised site plan that reflects the conditions placed herein and is stamped by an Engineer or Architect to the Planning Office for final review and signing by the Planning Board before a Building Permit is issued.



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The motion to approve the Visual Assessment for a pole barn as amended was made by Alternate 1 Mitch Cohen and seconded by Member Diana Cline and the Clerk conducted a roll call of the members:

Chair Peter McKnight-Aye

Vice-Chair Kathryn Kiewel-Absent

Member Karl Brueckner-Absent

Member Debbie Kossar-Aye

Member Griff Liewa-Absent

Member Dennis O'Clair-Aye

Member Diana Cline-Aye

Alternate 1 Mitch Cohen-Aye

Upon a roll call of the members present, the Resolution passed with five (5) AYES, Zero (0) NAYS, Zero (0) ABSTENTIONS and three (3) ABSENT,

2. 7:09-File-#13-Delisio Shawn-SBL-46.2-1-4-Visual Assessment

Location:1467 Rte. 28A-A-4/15.42 acres

Need: SEQRA Classification; review site visit; new maps and details submitted

Shawn Delisio and Jennifer Bousliman were present to represent the file

Applicant Statement

Ms. Bousliman handed the Board the Sediment and Erosion Plan at the meeting

Board Comments

Alternate 1 Mitch Cohen stated that the original house that burned down was more forward on the lot. The new residence is proposed to be further back and there may be a visibility issue with the second story in relation to the saddle on the left and right. There may need to be a limit on the pitch. The Applicant also did a lot of clearing and site work without checking with the Building Department. When a visual assessment is required, it must happen before anything else.

Alternate 1 Mitch Cohen asked ZEO Economos what is the maximum building height in Hurley? ZEO Economos stated thirty-five feet (35') from grade.

Member Dennis O'Clair stated it is not just the pitch, it is how it is framed.

The Board reviewed pictures taken at the site visit

Attorney Comments/Questions

Attorney Kim Garrison, ESQ. asked what is the highest point proposed? The Applicant sated twenty-four feet (24').

SEQRA

Official Actions: Alternate Member 1 Mitch Cohen motioned to classify the application as a type II under 617.5(11) construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (13) of this subdivision and the installation, maintenance or upgrade of a drinking water well or a septic system, or both, and conveyances of land in connection therewith; Member Deb Kossar seconded the motion. There being no discussion and the motion having been made and seconded, the motion was thereupon called to a vote, which passed with the following record of votes:

Member	Vote
Peter McKnight, Chairman	Aye
Diana Cline	Aye
Karl Brueckner	Absent
Dennis O'Clair	Aye



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Kathryn Kiewel	Absent
Griff Liewa	Absent
Debra Kossar	Aye
Alternate 1-Mitch Cohen	Aye

Motion was carried by five (5) AYES; zero (0) Nays; three (3) Absent, Karl Brueckner, Kathryn Kiewel, Griff Liewa; and 0 Abstentions

Determination:

Official Actions

Chair peter McKnight read the applicable portion of the draft Resolution into the record: **Findings of Facts and Conclusions of Law**

The single-family residence will be a two (2) bedroom home 'L'-shaped one-story living/kitchen room joined with a central entry to a two (2) story bedroom. The roof will be slate colored lifetime asphalt shingle or slate colored standing seam metal. The siding will be patina grays and browns barn type wood siding. The windows will be double-hung and picture Marvin windows that will have a charcoal gray exterior finish. There will be five (5) exterior wall-mounted at seven foot (7') high sconce lights similar to Quizel Breitling in matte black at sixty watts (60W). There will be three (3) gable-mounted motion lights under the roof line similar to the Halo outdoor security lights with a one-hundred fifty-watt (150W) bulb. A copy of the sample of each of the above is annexed to this Determination as Exhibit 1.

The proposed house site is 30 feet lower than the neighboring 800+ foot ridge line rising up to the west, which blocks all visibility from the Shokan reservoir bridge and walkway. The 800+ foot high ridge to the east continues up to the top of Baker Road at 880' high. The only visibility of the new house site would be from houses on top of Tonshi mountain and the former Pitcairn estate. However, any visibility from the top of Ohayo mountain is blocked by the many wooded lots of the neighbors. There is no visibility from any neighboring road or distant road.

The landscaping will have large boulders left over from the former reservoir quarry days, repaired stone walls along driveway, new fruit trees, wildflower deer resistant seed mixed in with the meadow areas. The old forsythia and lilac hedge will be thinned and transplanted along west side to make a visual barrier to neighbor. There will be a pitch pine grove to the east surrounded by the existing young rock oak, chestnut oak and pin oaks. The 70-year-old pines remain along 'woods road' and new house site. Ideally, the landscape will be inspired by Innisfree Gardens, the Ashokan Reservoir landscapes and some from Opus 40. A copy of the Proposed plantings, the landscape plan showing the location and the schedule of planting are annexed to this Determination as exhibit 2.

The Planning Board determines that the proposed building will not be visible from nearby roadways or significant viewing points, and it will have no visual impact. At the site visit, it was concluded by the Planning Board that the building is tucked within the rest of the property and will have no significant negative visual effect on the area.

The proposed single-family residence is not in proximity to the edge of the escarpment.

The Board received the sediment and erosion control plan at the October 26, 2023 meeting. The Building Inspector shall follow the Plan and any other items necessary to comply with Chapter 168-Sediment and Erosion Control Management. The plan is annexed to this Determination as exhibit #3.



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Actions by Resolution

NOW, THEREFORE BE IT RESOLVED, based on all the facts described above and upon the reasoning described above, as follows:

Section 1. The Planning Board finds that the proposed single-family residence is tucked within the site, but is on a rise at the rear of the property. The proposed building will not be significantly visible from nearby roadways or significant viewing points, and it will have no adverse visual impact. Upon having conducted a Site Visit and having discussions with the Applicant, the Board determined the building will not be significantly visible from most viewing angles.

Section 2: Existing vegetation and natural growth shall be retained to the maximum extent practicable to screen buildings and to avoid distinct boundary edges between natural vegetation and developed sites. Landscaping shall be maintained in good condition. All plants shall be maintained in good health and in a condition that accomplishes screening.

Section 3: To maintain the night sky visibility, the following conditions are placed on all outside lighting:

- A. All lights must be dark-sky compliant
- B. All lights must have shields on them to prevent spillage into the night sky
- C. No outside light can be greater than 3,000Kelvin or Lux equivalent
- D. All outside lighting, including motion-activated light must be set to turn off no later than 15 minutes after activation.
- E. All lights shall be incandescent or the equivalent.

Section 4: Roof and siding shall match the samples annexed to this Determination

Section 5: The Applicant shall provide five (5) copies of a revised site plan that reflects the conditions placed herein and is stamped by an Engineer or Architect to the Planning Office for final review and signing by the Planning Board before a Building Permit is issued.

Section 6. The granting of this visual assessment approval shall be expressly contingent upon the Applicant's full payment to the Town of Hurley of any and all fees and escrow deposits due in connection with this application and in full compliance with Chapter 19 "Escrows and Consultants Fees" of the Town of Hurley Zoning Code.

Section 7. The granting of this approval does not absolve the Applicant and the Property Owner from having to secure any other required permits and/or approvals.

The motion to approve the Visual Assessment for a new single-family residence with changes reviewed during the meeting of October 26, 2023 was made by Chair Peter McKnight and seconded by Alternate 1-Mitch Cohen and the Clerk conducted a roll call of the members:

Chair Peter McKnight-Aye

Vice-Chair Kathryn Kiewel-Absent

Member Karl Brueckner-Absent

Member Debbie Kossar-Aye



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Member Griff Liewa-Absent

Member Dennis O'Clair-Aye

Member Diana Cline-Aye

Alternate 1 Mitch Cohen-Aye

Upon a roll call of the members present, the Resolution passed by an affirmative vote of Five (5) Ayes, Zero (0) Nays, Three (3) absences, Member Karl Brueckner, Vice-Chair Kathy Kiewel, Member Griff Liewa and Zero (0) abstentions.

3. File-2023-Graff/Osterhoudt-#11-Major Sub-Division-Graff Trust-46.2-2-38.200 & 47.3-4-26-Osterhoudt-SBL-47.3-2-2

Applicants: Gary Graff (Trust) & Dean & Kristin Osterhoudt

Location: Graff-Spillway & Stone Rds./Osterhoudt-Irmer Rd/A-2.5 zoning/total acres:118.11-Graff(83.50); Osterhoudt (34.6)

Application: Major Sub-division

Update: Public hearing on Preliminary Plat held; consider final Plat approval

Chris Zell, Dean Osterhoudt and Kristian Osterhoudt were present to represent the file

Preliminary Plat approval granted earlier in the meeting.

WHEREAS:

- 1.** The Applicants, Gary W. Graff Trust, and Dean and Kristian Osterhoudt, currently propose to adjust the lot lines between their respective properties. Applicant Gary W. Graff Trust currently owns Property located at 275 Spillway Road (SBL 46.2-2-38.200), and vacant Property located on Spillway Road (SBL 47.3-4-26). Applicant Dean and Kristian Osterhoudt currently own Property located at 49 & 53 Bundy Lane (SBL 47.3-4-7).
- 2.** As proposed, the boundary lines between these parcels will be adjusted such that: (1) 19.001 acres from SBL 47.3-4-26 will be conveyed to SBL 46.2-2-38.200, such that SBL 46.2-2-38.200 will become 61.809 acres in area; and (2) 11.071 acres from SBL 47.3-4-26 will be conveyed to SBL 47.3-4-7, such that SBL 47.3-4-7 will become 12.912 acres in area. Following the proposed conveyances, SBL 47.3-4-26 will have 10.643 acres in area.
- 3.** On October 26, 2023, the Planning Board granted the Applicant preliminary plat approval for the Major Subdivision of Graff (SBLs 46.2-2-38.200 & 47.3-4-26) & Osterhoudt (SBL 47.3-2-2) as delineated on Preliminary Plat of Subdivision of Lands of The Gary W. Graff Trust and Subdivision of Lands of Dean Osterhoudt & Kristian Osterhoudt, dated June 28, 2023, revised on August 4, 2023, and revised on October 12, 2023.
- 4.** No additional conditions or changes were required to be added to the Preliminary Plat approval.
- 5.** A Final Plat of the Subdivision was submitted to the Planning Board on October 26, 2023. The Final Plat is in substantial agreement to the Preliminary Plat of Subdivision of Lands of The Gary W. Graff Trust and Subdivision of Lands of Dean Osterhoudt & Kristian Osterhoudt, dated June 28, 2023, revised on August 4, 2023, and revised on October 12, 2023. Therefore, no public hearing is required for the Final Plat.



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NOW, THEREFORE BE IT RESOLVED, based on all the facts described above and upon the reasoning described above, as follows:

- Section 1. The Planning Board grants Final Plat Approval for the Major Subdivision of Graff (SBLs 46.2-2-38.200 & 47.3-4-26) & Osterhoudt (SBL 47.3-2-2) as delineated on Final Plat of Subdivision of Lands of The Gary W. Graff Trust and Subdivision of Lands of Dean Osterhoudt & Kristian Osterhoudt, dated June 28, 2023, revised on August 4, 2023, and revised on October 12, 2023.
- Section 2. The granting of this Final Plat Approval shall be expressly contingent upon the Applicant and Property Owner's full payment to the Town of Hurley of any and all fees and escrow deposits due in connection with this application and in full compliance with Chapter 19 "Escrows and Consultants Fees" of the Town of Hurley Zoning Code.
- Section 3. The granting of this approval does not absolve the Applicant and the Property Owner from having to secure any other required permits and/or approvals.
- Section 4: The Applicant shall bring the Clerk two (2) Mylars and a minimum of nine (9) paper copies of the final plat with the 'consent to file' signed by all owners. The Board will sign the Plat when the Escrow is fully resolved. The Applicant shall deliver one (1) Mylar and nine (9) paper copies to the Clerk after filing with Ulster County Real Property.

The motion being made to approve with changes was by Member Chair Peter McKnight and seconded by Alternate Member 1 Mitch Cohen was brought to the following vote:

The Clerk conducted the following roll call:

Roll Call

Peter McKnight, Chair	<input checked="" type="checkbox"/> Aye; <input type="checkbox"/> Nay; <input type="checkbox"/> Absent; <input type="checkbox"/> Abstain
Kathryn Kiewel, Vice-Chair	<input type="checkbox"/> Aye; <input type="checkbox"/> Nay; <input checked="" type="checkbox"/> Absent; <input type="checkbox"/> Abstain
Karl Brueckner	<input type="checkbox"/> Aye; <input type="checkbox"/> Nay; <input checked="" type="checkbox"/> Absent; <input type="checkbox"/> Abstain
Griif Liewa	<input type="checkbox"/> Aye; <input type="checkbox"/> Nay; <input checked="" type="checkbox"/> Absent; <input type="checkbox"/> Abstain
Debbie Kossar	<input checked="" type="checkbox"/> Aye; <input type="checkbox"/> Nay; <input type="checkbox"/> Absent; <input type="checkbox"/> Abstain
Dennis O'Clair	<input checked="" type="checkbox"/> Aye; <input type="checkbox"/> Nay; <input type="checkbox"/> Absent; <input type="checkbox"/> Abstain
Diana Cline	<input checked="" type="checkbox"/> Aye; <input type="checkbox"/> Nay; <input type="checkbox"/> Absent; <input type="checkbox"/> Abstain
Mitch Cohen, Alternate 1	<input checked="" type="checkbox"/> Aye; <input type="checkbox"/> Nay; <input type="checkbox"/> Absent; <input type="checkbox"/> Abstain

The motion having been made and seconded passed by a roll call of five (5) Ayes; Zero (0) Nays; Three (3) Absent; Zero (0) Abstentions

V. New Business:

1. 7:45PM-File-#2023-#15-Freedman-SBL-38.1-3-14-SUP&SP

Location: 31 Elks Park Rd./R-1 district/0.4517 acres

Application: 2-family house

Need: SEQRA classification & public hearing

Sharon Freedman was present to represent the file

Applicant Statement



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PO BOX 569

Hurley, New York 12443

planning@townofhurley.org

(845)331-7474 Ext. 6

PLANNING BOARD MINUTES

Thursday, 2023-10-26 @ 6:00 p.m.

Applicant is converting a one-family into a two-family. They will be long-term rentals. She is working on getting UCBOH approval.

Attorney Comments

Kim Garrison, ESQ. stated space #4 shown for parking may not be far enough from the side lot line. This will need to be verified. The Applicant stated there is also a two-car garage

SEQRA:

Alternate member 1 Mitch Cohen motioned to classify the action as a Type II under 617.5(11) construction or expansion of a single-family, a two-family or a three-family residence on an approved lot including provision of necessary utility connections as provided in paragraph (13) of this subdivision and the installation, maintenance or upgrade of a drinking water well or a septic system, or both, and conveyances of land in connection therewith; Chair Peter McKnight seconded the motion. There being no discussion and the motion having been made and seconded, the motion was thereupon called to a vote, which passed with the following record of votes:

Member	Vote
Peter McKnight, Chairman	Aye
Diana Cline	Aye
Karl Brueckner	Absent
Dennis O'Clair	Aye
Kathryn Kiewel	Absent
Griff Liewa	Absent
Debra Kossar	Aye
Alternate 1-Mitch Cohen	Aye

Motion was carried by five (5) AYES; zero (0) Nays; three (3) Absent, Karl Brueckner, Kathryn Kiewel, Griff Liewa; and 0 Abstentions

- Alternate member 1 Mitch Cohen motioned to schedule a public hearing for November 30, 2023 at 6:25PM or thereafter as the Agenda requires; Chair Peter McKnight seconded the motion. There being no discussion and the motion having been made and seconded, the motion was thereupon called to a vote, which passed with the following record of votes:

Member	Vote
Peter McKnight, Chairman	Aye
Diana Cline	Aye
Karl Brueckner	Absent
Dennis O'Clair	Aye
Kathryn Kiewel	Absent
Griff Liewa	Absent
Debra Kossar	Aye
Alternate 1-Mitch Cohen	Aye

Motion was carried by five (5) AYES; zero (0) Nays; three (3) Absent, Karl Brueckner, Kathryn Kiewel, Griff Liewa; and 0 Abstentions

2. 8:00PM--File-#14-Cone-SBL-55.2-3-2-VA

Location: 82 Eagles nest Rd/A4/2 acres

Summary: Visual Assessment for a new house already partially built

Need; SEQRA determination



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Josh Leonard was present to represent the file.

He stated he offered his condolences at the recent passing of Hurley Building Inspector Glenn Hoffstatter.

Applicant Statement

His client started this project 2 years ago and has been through 3 different Building Inspectors. Mr. Hoffstatter told them they didn't need a Visual Assessment; Mr. Tryon agreed and was going to issue the permit the week he left, but it fell on Mr. Economos who determined it needed a Visual Assessment. The building will be an art studio with no bathroom

SEQRA

Alternate member 1 Mitch Cohen motioned to classify the action as a Type II under 617.5(12) construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density; Chair Peter McKnight seconded the motion. There being no discussion and the motion having been made and seconded, the motion was thereupon called to a vote, which passed with the following record of votes:

Member	Vote
Peter McKnight, Chairman	Aye
Diana Cline	Aye
Karl Brueckner	Absent
Dennis O'Clair	Aye
Kathryn Kiewel	Absent
Griff Liewa	Absent
Debra Kossar	Aye
Alternate 1-Mitch Cohen	Aye

Motion was carried by five (5) AYES; zero (0) Nays; three (3) Absent, Karl Brueckner, Kathryn Kiewel, Griff Liewa; and 0 Abstentions

VI. 8:15PM approximate)Withdrawals: Alex Lokensgard Accessory Apartment-accepted

VII. 8:16PM Approximate)- Decision

1. Luke/Levine SUP-Public Hearing closed-10/17/22; Decision due by 12/18/22-final map list need sent to Applicant and Surveyor on 1/27/23. Applicant continued extension of decision due date

VIII. 8:17-Minutes: 2023-09-28

Alternate member 1 Mitch Cohen motioned to approve the 2023-09-28 minutes; Chair Peter McKnight seconded the motion. There being no discussion and the motion having been made and seconded, the motion was thereupon called to a vote, which passed with the following record of votes:

Member	Vote
Peter McKnight, Chairman	Aye
Diana Cline	Aye
Karl Brueckner	Absent
Dennis O'Clair	Aye
Kathryn Kiewel	Absent
Griff Liewa	Absent
Debra Kossar	Aye
Alternate 1-Mitch Cohen	Aye

Motion was carried by five (5) AYES; zero (0) Nays; three (3) Absent, Karl Brueckner, Kathryn Kiewel, Griff Liewa; and 0 Abstentions

IX. 8:20PM-Correspondence: None



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X. 8:21PMZBA referral-None

XI. 8:22PM-Action Items: training by Atty Lyons-finalize date-Clerk reminded everyone of some training opportunities to complete the required 4 hours for each year.

XII. 8:25PM-Local Law referrals: None

XIII. 8:26PM--Sign Maps: None

XIV. 8:27PM-Next Meeting: Thursday, 2023-11-30; Application Deadline: Thursday, 2023-11-09

XV. 8:30PM-Pre-Application Meeting: A pre-application meeting was held with Never Alone. They have some work to do before they will be ready to submit an application. Including, but not limited to, how they are classified in the use table.

8:35PM Chair Peter McKnight motioned to go into Attorney Client meeting; Alternate 1 Mitch Cohen seconded the motion. There being no discussion and the motion having been made and seconded, the motion was thereupon called to a vote, which passed with the following record of votes:

Member	Vote
Peter McKnight, Chairman	Aye
Diana Cline	Aye
Karl Brueckner	Absent
Dennis O'Clair	Aye
Kathryn Kiewel	Absent
Griff Liewa	Absent
Debra Kossar	Aye
Alternate 1-Mitch Cohen	Aye

Motion was carried by five (5) AYES; zero (0) Nays; three (3) Absent, Karl Brueckner, Kathryn Kiewel, Griff Liewa; and 0 Abstentions

- Member Deb Kossar motioned to exit Attorney Client meeting; Chair Peter McKnight seconded the motion. There being no discussion and the motion having been made and seconded, the motion was thereupon called to a vote, which passed with the following record of votes:

Member	Vote
Peter McKnight, Chairman	Aye
Diana Cline	Aye
Karl Brueckner	Absent
Dennis O'Clair	Aye
Kathryn Kiewel	Absent
Griff Liewa	Absent
Debra Kossar	Aye
Alternate 1-Mitch Cohen	Aye

Motion was carried by five (5) AYES; zero (0) Nays; three (3) Absent, Karl Brueckner, Kathryn Kiewel, Griff Liewa; and 0 Abstentions

Chair Peter McKnight stated no decisions were made during Executive Session.

XVI. (8:01PM approximate)- Adjourn

XVII. 8:47PM- Adjourn-

Alternate Member 1 Mitch Cohen motioned to adjourn the meeting; Member Deb Kossar seconded the motion. There being no discussion and the motion having been made and seconded, the motion was thereupon called to a vote, which passed with the following record of votes:

Member	Vote
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Peter McKnight, Chairman	Aye
Diana Cline	Aye
Karl Brueckner	Absent
Dennis O'Clair	Aye
Kathryn Kiewel	Absent
Griff Liewa	Absent
Debra Kossar	Aye
Alternate 1-Mitch Cohen	Aye

Motion was carried by five (5) AYES; zero (0) Nays; three (3) Absent, Karl Brueckner, Kathryn Kiewel, Griff Liewa; and 0 Abstentions

Meeting adjourned at 8:47PMPM

Respectfully submitted

Maggie Colan, Clerk

Dated: 2023-11-17

Approved:



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PLANNING BOARD MINUTES
Thursday, 2023-09-28 @ 6:00 p.m.



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2023-09-28 Minutes