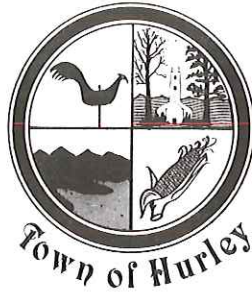


Town of Hurley  
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Planning Board

National Historic Landmark  
**HURLEY PLANNING BOARD**  
**PUBLIC HEARING MINUTES: MONDAY, DECEMBER 6, 2004**

**NEVER ALONE TEEN REHABILITATION CENTER, SITE PLAN REVIEW,  
CROFTS ROAD, HURLEY, NY.**

The TOWN of HURLEY PLANNING BOARD held a public hearing meeting at 7:45 p.m. on Monday, December 6, 2004 at the Hurley Town Hall, 10 Wamsley Place, Hurley, NY.

**BOARD MEMBERS PRESENT:** Paul Hakim, chairman; Donald Beesmer, Karl Brueckner and Richard Giebelhaus. A quorum of members was present.

**PRESENT on FLOOR:** Paul Economos, Code Enforcement Officer, Rudy Mauro, Town Highway Dept., Max Mauer and Richard Rothe, engineer, Anatashia O'Keefe, Chris Mauer, Pat Clausi, Richard Formula, Ed Portz, Kay Evans, Terry Reed, and Kim Vesara.

**Purpose of meeting: Continued to hear public input on application of NEVER ALONE (Richard Rothe, agent), TEEN REHABILITATION CENTER, SITE PLAN REVIEW, CROFTS ROAD, HURLEY, NY.**

Mr. Brueckner motioned to open the continued public hearing. Mr. Giebelhaus seconded the motion. Motion carried unanimously.

Mr. Rothe presented a site plan for the Public and Board to review.

Mr. Rothe explained to the Public and Board that Never Alone is proposing to expand to include a two story 55 feet by 16 feet boy's dormitory with six additional beds and a 1,700 sq. ft female cafeteria. Five additional employees will be added to the staff to oversee the additional six teens. There are 22 residents at this time and the six additional beds would total 28.

The existing signs will be replaced as the signs have been damaged over the years.

Mr. Mauer explained that there is security with high tech and tamper proof alarms imbedded in each door, the staff carries walkie/talkies at all times, a intercom system, female residents and male residents are separated. There are never any dark rooms as always they have dimmed lights in each room. Head count is taken many times a day by the staff. There are motion detector lights, vapor lights in the parking lot. Protocol is utilized and set up by the Town of Hurley Board and the area police departments, i.e. State Police, Sheriff's Dept., etc. A neighbor phone chain is set up beginning with Rudy Mauro, and he contacts the neighbors who want to be called if someone leaves the property without permission.

These residents are not criminals, this is a rehabilitation center for children age 12- 18 years old who are referred on a voluntary basis through parents, guardians, family court, probation dept, and are from Ulster County, Orange County, Dutchess County, etc. When the adolescent comes into the facility they are evaluated by three top team members who are licensed and professionals and if they are not appropriate to stay in this level of care they are sent to another facility for that level of care.

Procedures to monitor staff and clients are put in place. The staff receives in-house training, they have regular meetings, the staff is increased to cover the ratio of staff to resident. The staff has urine testing done and have background checks done before being hired and checked regularly if hired.

Mrs. O'Keefe who was a victim of burglary a couple of years ago and expresses much concern over the expansion of this facility and is not in favor of it. Ms. O'Keefe asked a number of times of who is responsible for these children when they leave the property of Never Alone? Ms. O'Keefe obtained a list of police calls from Mr. Joe Savini, a retired State Trooper, who was not present at this meeting. She noted that in 1997 there were 5 response calls, 1998 there were 3 calls, 1999 there was 1 call, 2000 there was 1 call, 2001 there were 3 calls, 2002 there were 4 calls, 2003 there were 4 calls, and 2004 there were 6 calls. Mr. Mauer stated that some of these calls were maybe just as a precaution that someone was missing after a head count, found on the property or going down the driveway but not off of the property. Mrs. O'Keefe was concerned that she was never notified of any of the calls made. She was very upset. She felt she should be contacted by a law enforcement agency, not a neighbor. She wants to know what to do in case of missing resident. Responsibility lies on the adolescent who does the crime. Never alone evaluates the child and then sends him or her to a higher level of care. Again, this is not a prison or detention center, it is a rehabilitation of adolescents. The two boys who committed the burglary of Mr. & Mrs. O'Keefe were both 17 years old and were sent to prison for 3 ½ years for their crime.

Ms. Pat Clausi who works as a bookkeeper at Never Alone suggested that the O'Keefe's should call the State Police/Sheriff's Dept. and ask if they could be contacted.

Mr. Chris Mauer noted a list of agencies that support and endorse the programs provided at Never Alone. There is a demand and a great need for these types of facilities in order to get these children back to normal lives in society.

Mr. Richard Formula who is just a concerned citizen town stated that he is in favor of the expansion of Never Alone. He feels strongly that the community should be in favor of this facility so that these children can straighten out their lives and he thinks it is a good thing. He stated that Ulster County has the highest amount of alcohol and substance abuse problems in the area. Mr. Formula added that the only reason they are here for the public hearing is that there is to be an increase of three more residents and feels it is not a major addition to the facility.

Kay Evans, intake coordinator for Never Alone, stated that there are very few kids that do not complete program. These kids are not criminals. They do evaluate carefully each resident. They want to be there for help and want better lives and that is why they are there. She stated that the primary counselors at the facility do rehabilitate the majority of these kids back into society. They are children who have parents, legal guardians, and are not kids on the streets causing problem.



Ms. Kim Vesara asked at the Board that when Never Alone was originally approved for 25 beds it was based on the approval by the Board of Health to use the existing septic and well then. With this major expansion would there be a need to build a new septic system. Mr. Rothe answered that there is 77 acres now and that should not be a problem if a new septic is needed.

Mr. Terry Reed, Jr, a counselor at Never Alone, stated that these kids just was to be average kids who like to play basketball, and he teaches life skills thus, they are not criminals.

A question was raised as to when the expansion of this facility would end. Will it become an expansion to add 5,10, 15, etc in the future. Is it about money, as insurance, medicaid, tax dollars, etc. must pay for these children to be there and would it ever become a facility for adults? Mr. Mauer assured the public it would never be for adults, only children.

Mr. Economos asked if there is an issue on future expansion, could the Planning Board set a limit to any more expansions? The Planning Board will consider this option.

Ms. Clausi again noted that there is an epidemic proportion of criminals because of the nee for facility such as Never Alone. There are not enough of them in the area.

Mr. Chris Mauer noted that Never Alone was placed in the Small Business Hall of Fame for 2004.

There is a 73% success rate of children who complete the program.

Mr. Hakim asked the Public if there were any questions. There were none.

Mr. Giebelhaus made a motion to close the Public Hearing. Mr. Brueckner seconded the motion. Motion carried unanimously.

Respectfully submitted,  
Dale Whipple  
DATE: December 15, 2004

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Planning Board

National Historic Landmark  
**HURLEY PLANNING BOARD**

**PUBLIC HEARING MINUTES: MONDAY, DECEMBER 6, 2003**

**WEST HURLEY LIBRARY**

The **TOWN of HURLEY PLANNING BOARD** held a public hearing meeting at 7:40 p.m. on Monday, December 6, 2004 at the Hurley Town Hall, 10 Wamsley Place, Hurley, NY.

**BOARD MEMBERS PRESENT:** Paul Hakim, Chairman, Donald Beesmer, Karl Brueckner and Richard Giebelhaus. A quorum was present.

**PRESENT on FLOOR:** Paul Economos, Code Enforcement Officer; Peter Hoffmann, architect, Joe Boek, engineer, Brian Williams and Donald Rice.

**Purpose of meeting: To hear public input on application of the WEST HURLEY LIBRARY EXPANSION, SITE PLAN REVIEW, (Peter Hoffmann, agent) 42 CLOVER STREET, WEST HURLEY, NY(SBL: 38.010-6-16)**

Mr. Giebelhaus made a motion to open the Public Hearing. Mr. Beesmer seconded the motion. Motion carried unanimously.

Mr. Hakim read the public notice.

Mr. Hoffmann, architect, placed the site plan review on the easel for the Board and Public to review.

Mr. Hoffmann explained the expansion of the library. The expansion will be 100% from the front of the existing building. The existing floor area is 2,016 ft and the expansion would be to 3,720 ft. With the newly changed design for expansion there is no need for a variance. There is no plan to expand the parking lot. There will be no change to the septic system. There will be new landscaping designs.. Shuster Associates had asked Mr. Hoffmann to supply the Board with photo metrics of the lighting. He was unable to obtain them for the proposed lighting. With this they changed the lighting to "low post" using 100 watt metal halide with two fixture designs shown and Mr. Hoffmann asked the Board which one they would prefer to be installed. The first is a post top fixture on a 12' pole. The second is a post top lamp with shaded lens and it directs the light downward and also on a 12' pole. The Board preferred the downward lighting and all agreed with that choice.

Mr. Boek, engineer, explained the drainage and erosion control. Mr. Boek submitted a letter detailing the drainage and erosion construction plans for the expansion. Mr. Boek stated that behind the library

there is about 4 to 5 inches of soil depth in back yard of Library. Mr. Boek explained that the Control Plan which includes construction of a permanent detention/infiltration system to capture and discharge water from the roof. Any storm water will be confined to the detention/infiltration pond and discharged to the drainage ditch currently in existence on the east side of the property. Mr. Boek stated that with the new expansion there will be less discharge of water from the roof than before. There will also be an on-site engineer as the expansion is under construction. A silt fence will be placed on the property.

Mr. Brian Williams and Mr. Donald Rice had concerns on their property of any increase in water that already drains on their property. Mr. Boek stated that the Library expansion would not compound any drainage problems that already exist in that area.

Mr. Rudy Mauro, Hurley Highway Dept, noted that the Town is planning to correct the drainage in this area in the spring of 2005. Bids on the project will be complete by February 2005. The plan is to reroute water from Clover Street over to Cedar St and down under State Route 375 using 8.8 acres north and west of Clover Street. The State Approval should be obtained soon. This will eliminate many of the drainage problems in the area.

Mr. Boek noted that only ½ of a percent of surface water will drain from the Library will exist with the expansion.

Mr. Rice was concerned about drainage because his property borders behind the Library with a 15 ft slope which faces down hill. He gets a lot of water on his property from the area.

Mr. Williams' concern was the increase during the expansion from contaminants, run-offs, residual salt, etc. and is there any provisions to limit the amount of water from the Library

In the Library's Deed, it was noted that there is a right to discharge water onto Paula Rice's property.

Mr. Williams and Mr. Rice were appreciative of the efforts of the Town to correct the drainage. They are also in favor of the Library's Expansion but has concerns with drainage.

The Board asked the Public if there were any more questions. There were none.

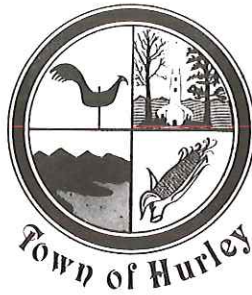
Mr. Giebelhaus made a motion to close the Public Hearing. Mr. Brueckner seconded the motion. Motion carried unanimously.

Respectfully submitted,

Dale Whipple  
DATE: December 18, 2004



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Planning Board

National Historic Landmark

The **Regular Monthly Meeting** of the **TOWN OF HURLEY PLANNING BOARD** was held on **Monday, December 6, 2004** at **7:00 P.M.** at the Hurley Town Hall, 10 Wamsley Place, Hurley, New York.

**BOARD MEMBERS PRESENT:** Paul Hakim, Chairman; Karl Brueckner, Don Beesmer, and Richard Giebelhaus. A quorum was present.

**Present on Floor:** Paul Economos, Code Enforcement Officer; Jack Darwak, Town Attorney, Rudy Mauro, Town Highway Dept., Victor Behoriam, Barry Medenbach, Max Mauer and Richard Rothe, engineer; Christopher Zell, Peter Hoffmann, Joe Boek, Anthony Russo, Bert Winne and David Baker, Town Historian.

Mr. Brueckner made a motion to open the regular meeting. Mr. Beesmer seconded the motion. Motion carried unanimously.

**7:00 PM VICTOR BEHORIAM/DARLENE MILLER. BEST LAND USE CORP. (ROCK LEDGES), 5-LOT SUBDIVISION, located on ROUTE 28, WEST HURLEY, NY (SBL: 38.001-3-30, 31,34.2 & 34.3)**

Mr. Darwak, Mr. Behoriam and Mr. Medenbach were present. Mr. Myers was present, but left early due to illness.

Mr. Brueckner stated that he met with Mr. Darwak regarding the road maintenance agreement. Mr. Darwak asked Mr. Brueckner if the road is going to also be used for access to the commercial buildings. His answer was it was not intended to be but is not showing on the map.

Mr. Darwak first stated to the Board that when a Road Maintenance Agreement is to be submitted to him, it must first go to the Planning Board, copies are made for their file and the documents are submitted to Mr. Darwak. **It must be accompanied by the most recent map.** If Mr. Darwak is communicating with the Board they both need to review the same map. Anyone who picks up these maps should be able to understand them.

Mr. Darwak asked Mr. Behoriam who owns the property of the proposed subdivision? Mr. Behoriam stated that he and his wife, Darlene Miller, are the owners of the property and they are Best Lands Corp. He is in the process of purchasing a small parcel of land from Joann Associates in order to obtain access to one of the lots. Mr. Darwak wants this indicated on the maps of who owns the property and if it is re-subdivided he needs that owner listed on the map also. Must read Lands owned by: name of owners. Mr. Darwak noted that there are nine rights of ways on these parcels. Who owns the right of ways? Mr. Behoriam stated he and his wife are the owners. There are nine right of ways across Screen Tech but to work with the neighbors and he is giving up the right of ways

across the property. Mr. Darwak stated that the right of way being the road should be noted on the map as exclusive. Mr. Behoriam stated that his title search states he is the owner of all of the right of ways. Mr. Medenbach noted he would clean up the right of ways on the map. Mr. Behoriam is agreeable to any language to make this subdivision work.

Mr. Behoriam plans to either sell each lot individually or the entire subdivision.

The Board has received costs estimates of road construction, screening and drainage and a road bond from the Town Engineer.

Mr. Darwak suggested that the map show a note stating that "no building permits until road is properly installed". Mr. Darwak explained briefly on what could happen if the developer defaulted or went bankrupt. The Town could not build the road. Bids would need to go out. The town clerk would not have time to monitor the bonds. It is very costly and time consuming.

Mr. Behoriam will state the names of owners on the road maintenance agreement and the maps. He will send a copy of the title report for Mr. Darwak.

Mr. Behoriam made a compromise to the Board to increase the road bond by 20% in order to move forward with the proposal. Mr. Brueckner made a motion to accept the 20% increase to the bond. Mr. Hakim seconded the motion. Mr. Beesmer voted yes. Mr. Giebelhaus voted no. It was a 3-1 vote.

**8:00 PM NEVER ALONE (Richard Rothe, agent), TEEN REHABILITATION CENTER, SITE PLAN REVIEW, CROFTS ROAD, HURLEY, NY (SBL: 47.003-2-11.1)**

A continued public hearing was held.

Mr. Max Mauer and Richard Rothe, engineer, were present.

A packet of information regarding security, protocol and support letters of area agencies were submitted to the Planning Board.

The public suggested that the Public Hearing be held over to the next Planning Board Meeting on December 6, 2004. That was done.

Due to time constraints, the Planning Board made no decision on this site plan review. Never Alone will return to the Board at the January 3, 2005 meeting.

Mr. Mauer asked the Board if he could install the new signs. The Planning Board agreed he could install the new signs under the direction of Mr. Paul Economos, Code Enforcement Officer.

**9:00 PM CHESTNUT FIELD, INC. 2-LOT SUBDIVISION located on ROUTE 28a/ SPILLWAY ROAD, WEST HURLEY, NY (SBL: 46.004-3-15 & 19.1)**

A public hearing was held.

The Board stated there were no significant environmental findings in the S.E.Q.R review and that



a negative declaration be declared. Mr. Brueckner motioned that the Negative Declaration be declared. Mr. Beesmer seconded the motion. Motion carried unanimously.

The signing of the negative declaration will be signed at the next meeting.

Mr. Brueckner made a motion to grant a **final approval**. Mr. Giebelhaus seconded the motion. Motion carried unanimously.

The final maps were signed by Mr. Brueckner and Mr. Giebelhaus.

**9:15 PM WEST HURLEY LIBRARY, SITE PLAN REVIEW, (Peter Hoffmann, agent) 42 CLOVER STREET, WEST HURLEY, NY(SBL: 38.010-6-16)**

A public hearing was held.

The Ulster County Planning Board responded after their review and stated there is no county impact.

No action was taken on the project.

Mr. Hakim will take the site plan review to Brinnier & Larios, Town Engineers, for their review on the drainage issue.

Mr. Hoffmann will return to the Planning Board Meeting to be held on Monday, January 3, 2005.

**9:45 PM MICHAEL LARUBBIO, ROBERT LARUBBIO & MARILYNN CONLEDO,(Colin Houston, Agent) for a 3-LOT SUBDIVISION, located on SPILLWAY ROAD, WEST HURLEY, NY (SBL: 46.002-2-22)**

Mr. Houston submitted revised map showing 28.9 acres being proposed to be subdivided into 3 lots. The existing house on Spillway Road will remain on 4 acres as "Lot #2" with the closing off of a portion of the loop driveway. The 14+ acres on Spillway Road has frontage on Route 28a as "Lot #1" with access from Spillway Road but no access planned on Route 28a because of a steep slope. The remaining 9+ acres on Spillway Road showing an access, house, well and septic area will be "Lot #3". The lots are in the A2-5 and A-4 district. Mr. Houston submitted a copy of the letter from the Ulster County Highway giving approval for the driveway accesses and an approved highway work permit.

Mr. Hakim noted that this proposal is straightforward but will need to show proposed house, reserve, well, septic etc and needs a Board of Health approval on Lots #1 and #3 and require a 12% grade for driveway.

Mr. Hakim asked the Board to make a motion to schedule a Public Hearing. Mr. Giebelhaus made the motion to grant a Public Hearing for Monday, January 5, 2005. Mr. Brueckner seconded the motion. Motion carried unanimously

A Public Hearing will be scheduled for January 5, 2005.

Mr. Houston will provide the names and addresses of adjoining property owners.



**10:00 P.M. PETER GOERTZEL, HOME OCCUPANCY, REAL ESTATE OFFICE, 98 WALL STREET WEST HURLEY, NY (SBL: 38.010-3-34)**

Mr. Goertzel was present.

Mr. Goertzel submitted a drawing of the proposed sign being 1' by 2".

Mr. Goertzel explained that he proposes a real estate office in his home using 264 sq. Ft. area in the rear of his garage with a shingle sign in the front yard at the driveway. There will be no employees, public access, etc. Mr. Goertzel is the only person using the office as a consulting realtor.

Mr. Brueckner revised the original application to show a site plan review instead of a special use permit.

Mr. Hakim asked the Board make a motion for a Public Hearing. Mr. Giebelhaus made a motion to grant a Public Hearing for Monday, January 3, 2005. Mr. Brueckner seconded the motion. Motion carried unanimously.

A Public Hearing will be scheduled for January 3, 2005.

Mr. Goertzel will provide a list of names and addresses of adjoining property owners.

**10:15 P.M. ANTHONY & MONIQUE RUSSO, 5-LOT SUBDIVISION, BASIN ROAD, WEST HURLEY, NY (SBL: 38.004-6-2.4,5 & 6: & 38.004-1-3 (Town of Kingston))**

Mr. Winne and Mr. Russo were present.

Mr. Winne explained that the map is in draft to show all of the information suggested by the Board at the last meeting attend by Mr. Winne on this proposal. The proposal is to subdivide and reconfigure lot lines to create a new vacant lot in the II district. These parcels owned by Mr. Russo are in the Town of Hurley and Town of Kingston. There has been some site disturbance on the parcels and Mr. Russo was asked to not continue with any blasting until approval has been given by the Planning Board. Mr. Russo submitted a copy of the Driveway Entrance Application approval by the NYC DEP.

Some information needed on final maps before any approval by the Planning Board are as follows:

1. Existing improvements of buildings, structures, sanitary facilities for the Reservoir Inn.
2. Federal Wetlands on tax lot #5 & #6 with construction access into Lot #6 and delineation of the disturbed areas of Lot 6.
3. Curve in Basin Road just southwest of Lot 6.
4. Existing lot lines to be deleted, the proposed lot lines, and existing zoning district lines.
5. Revision dates, zoning block and signature blocks for owner and Planning Board.

Mr. Winne stated that he can submit the revised plans before the next meeting.

Mr. Hakim asked the Board to make a motion for a public hearing. Mr. Beesmer made a motion to hold a public hearing for Monday, January 3, 2005. Mr. Giebelhaus seconded the motion. Motion carried unanimously.

A Public Hearing will be held on Monday, January 3, 2005.

Mr. Winne noted that he met with Town of Kingston and they suggested tat they could either hold their own Public Hearing on this proposal or jointly hold the public Hearing with Town of Hurley.

Mr. Winne will provide the names and addresses of the adjoining property owners.

**10:30 P.M. BREH HOLDING CORP,(Bert Winne and Richard Rothe, agent), DAVID ODEN,5-LOT SUBDIVISION, DUG HILL ROAD, HURLEY, NY (SBL: 47.003-3-24.26)**

Mr. Winne and Mr. Rothe were present.

Mr. Rothe briefly explained the road issue. Due ot the wetland, they are constrained by the size of the culvert needed for the road. A guide rail will be 30 feet high. It is suggested that the road be revised to a private road instead of a single user road. The road will need to be regraded to meet code. All road work will need approval and permit from the NYSDEC for stream disturbance and approval from the Town Highway Dept. All other NYSDEC issues need to be completed. A Road Maintenance Agreement was submitted to Mr. Darwak, Town Attorney . The new revised engineering plans will need to be submitted and reviewed by the Town Engineers, Brinnier & Larios. Mr. Winne will make changes to the maps in accordance with the recommendations by Shuster Associates.

**10:45 P.M. DAVID BAKER, TOWN HISTORIAN, for a HISTORIC PRESERVATION ORDINANCE**

Mr. Baker was present and had previously submitted to the Planning Board a copy of the Final Draft of the ordinance for the Planning Board to review at the last meeting. .

Mr. Baker again briefly explained that the ordinance is Law that will establish a Historic Preservation Commission who will have certain powers and duties to designate historic landmarks mainly buildings and grounds. They can grant certificate of appropriateness to owners who make changes to those designated historic landmarks within the required designs, protect, enhance, and promote the informative and educational elements of the historic, architectural, archaeological and cultural heritage of the Town, protect and enhance the attractiveness of the Town to residents and visitors, ensure the harmonious, orderly, efficient growth and development of the Town in the Historic areas..

The Planning Board will further review the final draft of the ordinance as they need more time to go over this again due ot time constraints at this meeting. Mr. Baker is looking for a write up of either the Planning Board's approval or disapproval of this Ordinance in order for it to go before the Town Board for adoption of the Law. Mr. Giebelhaus was not in favor of this Law as he feels it would be another layer to add to the bureaucracy .

Mr. Hakim asked the Board to review the **Regular Meeting Minutes and Public Hearing Minutes of Never Alone of November 1, 2004**. Mr. Geibelhaus made a motion to accept the



Regular Meeting Minutes and Public Hearing Minutes. Mr. Brueckner seconded the motion.  
Motion carried unanimously.

Mr. Giebelhaus made a motion to close the regular meeting. Mr. Brueckner seconded the motion.  
Motion carried unanimously.

The meeting was adjourned at **11:15 p.m.**

Respectfully submitted,

Dale Whipple  
Secretary  
December 18, 2004