

Town of Hurley
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Planning Board

National Historic Landmark

The **Regular Monthly Meeting** of the **TOWN OF HURLEY PLANNING BOARD** was held on **Monday, January 3, 2005** at **7:00 P.M.** at the Hurley Town Hall, 10 Wamsley Place, Hurley, New York.

BOARD MEMBERS PRESENT: Paul Hakim, Chairman; Karl Brueckner, Richard Giebelhaus, Richard Gramzow, Joe Vidal and Wayne Rice. A quorum was present.

Present on Floor: Miles Putman of Shuster Associates, Paul Economos, Code Enforcement Officer; Colin Houston, land surveyor; Peter Goertzel; Anthony Russo, Bert Winne, land surveyor; James Perro, Rob Ferrigan and Ivan Rion, members of Town of Kingston Planning Board; Joe Boek, engineer; Richard Rothe, engineer, and David Oden; and Ms. Matthew Sirni.

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

7:00 P.M. 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)

A public hearing was held.

Mr. Economos and the Board directed Mr. Houston to change the wording of the dwelling on Lot #2 from reading as a bunk house, of which a picture was submitted, to a shed. The dwelling is not a livable structure and this wording is proper for a building permit.

The Board also directed Mr. Houston make the following changes on the final map:

1. Board of Health approvals need to be submitted to the Board.
2. Complete a road profile on the property.
3. Show location of septic system on vacant lots.
4. Change the wording of dwelling from bunk house to shed on Lot #2.
5. Add bulk table to map.

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. Rice seconded the motion. Motion carried unanimously. Mr. Hakim signed the negative declaration.

Mr. Giebelhaus made a motion to grant a **conditional final approval** pending the submission of Board of Health approval, road profile, location of septic system, note change of bunk house to shed, and add bulk table to final maps. Mr. Brueckner seconded the motion. Motion carried unanimously.

Mr. Houston will return to the next meeting on Monday, February 7, 2005 if the conditions are completed on final maps.

7:20 P.M. PETER GOERTZEL, HOME OCCUPANCY, REAL ESTATE OFFICE, 98 WALL STREET WEST HURLEY, NY (SBL: 38.010-3-34)

A public hearing was held.

The location of the sign was marked on map.

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

7:40 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))

A public hearing was held.

The Board would like to have shown on the final maps the location of the sanitary facilities of the Reservoir Inn on Lot # 5 and Lot #6, show access locations on Lot #3 & #5, show the wetlands, either buyer beware disclaimer or Board of Health approval on Lot #3, a signature block for both the Town of Hurley and The Town of Kingston to sign, and site disturbance to be shown on Lot #5.

Both Town of Kingston and Town Of Hurley Planning Boards will allow the two paper sheets map, noted as A & B, to be submitted to the Ulster County Clerk's Office as one map.

The Town of Kingston Planning Board meets every third Monday of the month. The Town of Kingston would like a copy of the approved minutes sent to them for their records.

8:15 P.M. NEVER ALONE (Richard Rothe, agent), TEEN REHABILITATION CENTER, SITE PLAN REVIEW, CROFTS ROAD, HURLEY, NY (SBL: 47.003-2-11.1)

Mr. Richard Rothe, engineer, was present.

Mr. Rothe noted that at the last Planning Board meeting, the public hearing was closed and there were not enough board members present to approve the plan and there were no locations of the signs on the maps submitted to the Planning Board.

In light of the public hearings, the Board would have liked to have discussed further with Mr. Mauer and Mr. Rothe about the neighbors concerns of the expansion. Mr. Mauer was not present. The Board did ask Mr. Rothe to answer some questions if he could in the absence of Mr. Mauer.. The proposal is a 10,000 sq. ft. Type 2 educational facility. The concern being questioned is will there be further expansions planned for the future since it was noted that this is the only facility in the state. Mr. Rothe did not believe there is any plan for expansion after this but really could not answer this question.

Mr. Giebelhaus questioned Mr. Rothe about the concern of security and public safety? Mr. Rothe stated that there are overnight security personnel hired by Never Alone. There are security alarms over doors and around the facility, there is protocol in place via a "phone chain" by neighbors who wished to be called, and also with local police agencies. There are a higher number of counselor/resident ratio. They feel that security should not be a problem at this time.

Mr. Brueckner had a copy of the 1992 minutes which approved the project and he stated that in those minutes the condition under which there was an approval was that there is to be a limit of 25 residents and that an overnight security service be hired and put in place at the facility. A security service has not been hired and there are now 23 residents at the facility. Where would the line be drawn on further expansions?

Mr. Rothe noted that after two public hearings that he feels all concerns and issues have been addressed and does not want to prolong this project much further. He would like to have the Planning Board make their decision on either approval or disapproval by "Yes" or "No".

Mr. Economos will meet with Mr. Mauer and discuss the possibility of a limit to further expansions before the next meeting.

The Board asked Mr. Rothe if a screening or a fence be placed around the basketball courts to limit the noise level for the immediate neighbors because this neighbor was yelled to by residents using foul language. This could be eliminated if a screening or a fence is around the courts.

Mr. Rothe noted that the New York State Oasis, a division of the Mental Hygiene, is the licensing bureau for this type of facility in the State and they have a history of this type of facility and should have a number of square feet could be allowed.

The Planning Board asked Mr. Putman to draft a resolution on putting a limit the further expansion of Never Alone to be agreed upon by Mr. Mauer and the Planning Board.

Mr. Rothe will attend the next meeting to be held on Monday, February 7, 2005.

8:30 P.M. WEST HURLEY LIBRARY, SITE PLAN REVIEW, (Peter Hoffmann, agent) 42 CLOVER STREET, WEST HURLEY, NY(SBL: 38.010-6-16)

Mr. Boek was present.

The Planning Board was in receipt of a phone call from Ms. Edith LeFever, an adjoining property owner who was unable to attend the public hearing due to the inclement weather and she wanted to state that she has a concern about parking for the expanded library. Her home is next to the Library's parking lot and she does not want to see more parked cars after the Library is expanded and more people may come and use the newly expanded Library. Mr. Boek noted that the Library was in receipt of a letter from Ms. LeFever stating same and the Library did respond to her concern. He has a copy of their response.

The Ulster County Planning Board did review the proposed Library expansion and responded that there is no County impact.

Brinnier & Larios, the Town Engineers, submitted a letter stating that they have reviewed the documents submitted by Mr. Boek and they noted that the Town has scheduled their drainage project in that area for the Spring of 2005. If the Town does not complete their project, the Library will be responsible for the storm water mitigation measures.

Mr. Boek stated that the Library's expansion project will not begin until the Town has completed their drainage project.

Mr. Hakim made a motion to grant a **conditional final approval** pending all erosion control measures are in place before site disturbance, landscaping in place before Certificate of Occupancy is issued, if the Town drainage project is not completed, the Library will need to have the storm water management plan prepared and approved by the Town Engineer before the Certificate of Occupancy is issued. Mr. Gramzow seconded the motion. Motion carried unanimously. Mr. Brueckner noted that although he did approve the motion, he is not in favor of the expansion in such a small residential area of the Town.

8:45 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)

Dr. Oden and Mr. Rothe were present.

Mr. Rothe briefly explained the road issue. Due to the wetland, they are constrained by the size of the culvert needed for the road and is moving the road over some. A guide rail will be placed on road.

Mr. Darwak, Town Attorney, sent a letter dated 12/30/04 in regard to the Road Maintenance Agreement stating that the Agreement is unacceptable and Mr. Darwak listed the items that need to be submitted from Breh Holding Corp's attorney in order for Mr. Darwak to further review the Agreement. Dr. Oden will have the information needed from his attorneys to submit to Mr. Darwak in the near future.

A letter was received from Brinnier & Larios, Town Engineer, noting some modifications to the road, which include sizes, permits, calculations and details for construction on culvert, grading, guiderail, etc. and Federal Wetlands. This is due to the changing of a single residential road to a subdivision road.

Dr. Oden and Mr. Rothe stated that the Board of Health has been working on this proposal and they should have the approvals by the end of January 2005.

Dr. Oden asked if the Planning Board could schedule a Public Hearing for the next meeting to be held on Monday, February 7, 2005?

Mr. Vidal made a motion to grant a Public Hearing for next month's meeting on February 7, 2005. Mr. Giebelhaus seconded the motion. Motion carried unanimously.

Dr. Oden will submit the names and addresses of the adjoining property owners for the Public Hearing.

A Public Hearing will be scheduled for Monday, February 7, 2005.

9:00 PM PRE-APPLICATION MEETING, JOSH KRONER (Colin Houston, agent), FORMER TERRAPIN RESTAURANT, LOT LINE REVISION, SPILLWAY ROAD, WEST HURLEY, NY (SBL: 46.002-2-34 & 33)

Mr. Houston was present.

Mr. Houston explained to the Board that this proposal is a conveyance of land from Kroner to Woiteasek of 1.5 acres to 1.19 acres, which is an undersized lot with a restaurant and apartment, and of 2.7 acres to 3.1 acres which has a single family home. This conveyance is to correct a driveway encroachment by the restaurant. Because of the undersized lot, the conveyance in this manner would need to apply to Zoning for an area variance.

There is adequate septic reserve available.

It was suggested by the Planning Board that if the two neighbors could evenly swap land, there would be no need for a public hearing or an area variance.

Mr. Houston would try and negotiate this proposal with the two neighbors.

9:20 PM MATTHEW SIRNI, VISUAL ASSESSMENT REVIEW, EAGLES NEST ROAD, HURLEY, NY (SBL: 55.002-3-10)

Ms. Sirni was present.

Ms. Sirni explained that she and her husband are planning to build a home on Eagles Nest Road on 6+ acres of land, with no major clearing and wants to remain out of site of other neighbors and surrounding area.

Ms. Sirni showed the Board the colors being used for the exterior of the house and roof along with a sanitary design plan, elevation drawing and cut sheets for the outdoor lighting. These were acceptable to the Planning Board.

The Planning Board will schedule a site visit. It was agreed that the members would do the site visit along with Ms. Sirni on Tuesday, January 4, 2005 at 4:30 p.m.

MISCELLANEOUS TOPICS:

Mr. Hakim asked the Board to review the **Regular Meeting Minutes and Public Hearing Minutes of Never Alone, Chestnut Fields, Inc. and West Hurley Library on December 6, 2004.** Mr. Giebelhaus made a motion to accept the Regular Meeting Minutes and Public Hearing Minutes. Mr. Brueckner seconded the motion. Motion carried unanimously.

Mr. Baker, Town Historian, has withdrawn his ordinance due to a controversy.

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

The meeting was adjourned at **9:45 PM.**

Respectfully submitted,

Dale Whipple
Secretary
1/23/05

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HURLEY PLANNING BOARD

PUBLIC HEARING MINUTES: MONDAY, JANUARY 3, 2005

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))

The TOWN of HURLEY PLANNING BOARD held a public hearing meeting at 7:40 p.m. on Monday, January 3, 2005 at the Hurley Town Hall, 10 Wamsley Place, Hurley, NY.

BOARD MEMBERS PRESENT: Paul Hakim, chairman; Karl Brueckner, Richard Gibelhaus, Richard Gramzow, Wayne Rice, and Joe Vidal. A quorum of members was present.

PRESENT on FLOOR: Miles Putman, Town Planner of Shuster Associates, Paul Economos, Code Enforcement Officer, Bert Winne, Anthony Russo, Town of Kingston Planning Board members, Jim Perro, Ivan Rion and Rob Ferrigan, Jeff Fletcher and Stucki Embroidery.

Purpose of meeting: To hear public input on application of ANTHONY & MONIQUE RUSSO, 5-LOT SUBDIVISION, BASIN ROAD, WEST HURLEY, NY (Town of Kingston)

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

Mr. Hakim read the notice of public hearing. Please note that both Town of Hurley and Town of Kingston held the joint public hearing here at Hurley Town Hall.

Mr. Winne and Mr. Russo were present.

Mr. Winne explained that the 5-lot subdivision is a reconfiguration of existing parcels owned by Mr. Russo in the I-1 District with lots both developed and vacant. A portion of land is in the Town of Kingston. This reconfiguration will make a vacant lot with no plans at this time for any development on the parcel. Mr. Russo has accesses to lots #2 & 6 approved by the NYC DEP. There has been some disturbance on Lot without approval. Lot # 3 and Lot #5 is vacant land. Lot #4 is the Reservoir Inn and their parking lot.

Mr. Hakim asked the public if there were any questions.

Mr. Fletcher, a neighbor of Stucki Embroidery, had three concerns. One, would the use of the vacant land increase an of the traffic. Two, would there be any problems with septic and water? Would there

be any truck traffic. Mr. Russo answered that there are no plans to do anything with the vacant lot. If there were to be any plans for the future, the Planning Board would require a Site Plan Review at that time and those concerns could be addressed at that time.

The owners of Stucki Embroidery would like the land disturbance to stop. Would like to keep some of the trees surrounding their business. Mr. Russo assured them that the tree cutting has stopped.

Mr. Hakim asked if there were any questions from the public and/or the Board. There were none.

Mr. Vidal made a motion to close the public hearing. Mr. Rice seconded the motion. Motion carried unanimously.

Respectfully submitted,

Dale Whipple
Secretary
1/17/04