

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, April 4, 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, co-Chairman; Donald Beesmer, Richard Giebelhaus and Joe Vidal. A quorum was present.

Present on Floor: Paul Economos, Code Enforcement Officer; Robert Young, architect; Paul Hakim; David Oden; Richard Rothe, engineer, and Max Mauer; Chris Zell; Larry Wolinsky, Joe Fleming, engineer.

7:00 P.M. OVERLOOK ENTERPRISES, (Robert Young, agent), SITE PLAN REVIEW/SPECIAL USE PERMIT,-DENTAL OFFICE, 1260 ROUTE 28, WEST HURLEY, NY (SBL: 38.004-5-19)

A Public Hearing was held.

Mr. Robert Young, architect, was present.

The Planning Board is awaiting recommendations and comments from the Ulster County Planning Board. Mr. Young will be contacted when they receive the comments.

Mr. Young noted that the issue of the sign and lighting for sign will be a separate application in the near future.

*Please note that Mr. Hakim excused himself at this time from the Planning Board.

7:15 P.M. SPM ASSOCIATES, 2-LOT SUBDIVISION, KINGSWOOD KNOLLS, HURLEY, NY (SBL: 55.004-9-7.8)

A Public Hearing was held.

The Planning Board asked Mr. Hakim to place a note on his maps stating that fill will be placed on parcel to accommodate housing to the culvert. Mr. Hakim will revise his maps and bring back the final maps at the next Planning Board meeting.

**7:30 P.M. SPM ASSOCIATES, RE-CERTIFICATION OF MAPS, LOT LINE REVISION
LUCAS AVENUE/TWIN LAKES, HURLEY, NY (SBL: 55.004-9-14 & 15)**

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 reaffirmed. Mr. Beesmer motioned that the Negative Declaration be reaffirmed. Mr. Giebelhaus seconded the motion. Motion carried unanimously.

Mr. Vidal made a motion to grant a **final approval**. Mr. Beesmer seconded the motion. Motion carried unanimously.

Maps were signed by Mr. Vidal and Mr. Beesmer.

**7:45 PM BREH HOLDING CORP.(Richard Rothe, agent), DAVID ODEN, 5-LOT
SUBDIVISION, DUG HILL ROAD, HURLEY, NY (SBL: 47.003-3-24,26)**

Mr. Rothe, engineer, and Mr. Oden came later.

The letter of approval by the Town Engineer, Brinnier & Larios on the road issues has been received by Mr. Rothe and the Planning Board. Brinnier & Larios has asked that the culvert pipe be 5 feet and that is acceptable.

The Planning Board has asked Mr. Oden and Mr. Rothe to obtain the NYSDEC's permit and Brinnier & Larios, Town Engineer, acceptance and approval for stream crossing disturbance before the SEQR and final approval can be made.

This proposal will return to the Planning Board meeting once the required approval and permit have been received.

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

Richard Rothe, engineer and Max Mauer were present.

Mr. Max Mauer was away on vacation and was not present at last month's Planning Board Meeting. Mr. Rothe asked to be present with Mr. Mauer at this meeting.

Mr. Economos spent a great deal of time going through the 1992 documents regarding the first initial site plan for the Never Alone Facility. There were many issues surrounding this project.

The Planning Board was given the documents for their review. The Planning Board discussed that the final approval in 1992 was granted was warranted upon the requirement there would be no more than 25 beds for the facility and an outside security service was to be hired to look

after a limit of 25 residents.

Mr. Mauer explained that he has been maintaining a well staffed facility with a number of counselors, professional staff, security staff, etc. The building has a very strong security system i.e. electronic system, security staff and protocol. He stated that all that he has in place is the requirement to be licensed by "Oasis", a state licensing bureau.

The Planning Board has instructed Mr. Mauer and Mr. Rothe to set a limit on the number of beds and that would be the limit. It could be 28 or possibly 30 beds. The Planning Board discussed with Mr. Mauer that his facility is in a Residential area with many neighbors who are not in favor of this proposal and there must be no further expansions.

Mr. Mauer become upset and he stated he was not willing to give a limit on expansion or number of beds. He does not know what could happen in the future. He stated that the recreation area would be buffered and/or build a fence. He would be willing to hire an outside security service.

The Board pointed out that the facility is out of compliance from the 1992 with no security service hired and no buffer around the recreation area.

Mr. Brueckner made a motion to vote on this proposal. Mr. Giebelhaus seconded the motion. Motion carried unanimously.

The question to the Planning Board, either accept resolution as to keep to the 25 beds as previously approved or modify the site plan for 28 beds and cafeteria expansion?

The Planning Board all agreed to accept the 25 beds as previously approved in 1992.

Mr. Mauer may reapply to the Planning Board in the future.

8:15 P.M. MARK KERSTEIN/JACK COHEN, (Christopher Zell, agent), 2-LOT SUBDIVISION, BAKER ROAD, WEST HURLEY, NY (SBL: 46.002-1-35.1 & 35.2)

Mr. Chris Zell was present.

Mr. Zell presented a map showing a proposal of a 2-Lot subdivision with one 8+ acre containing an existing house and a 43+ acre lot with vacant land. A lot line adjustment between 8+ acre Lot #2 and convey to lands of John and Michele Cedarquist. This lot line adjustment would allow more room between the road and the applicant's existing home. The Cedarquist property does not have frontage on the deeded road to Baker Road. This lot line adjustment will allow a new road to be built and the old road will be abandoned.

The Planning Board asked Mr. Zell to take off the road to be abandoned from the map and show the locations of house, well, septic, etc. on the 8+ acre lot. The Road Maintenance Agreement will be amended.

Mr. Zell will do this and return to the next Planning Board meeting in May with final maps.

8:30 P.M. SHOKAN BLUFFS LLC (Larry Wolinsky, agent), ASHTON FOREST; 15-LOT SUBDIVISION, SPILLWAY ROAD, WEST HURLEY, NY (SBL: 46.002-2-30)

Mr. Wolinsky, attorney and Mr. Fleming, engineer were present.

The following documents were submitted to the Board for their review. 5-sheet set of sketch plan and road profile, Alternate Subdivision Sketch Plan, Preliminary Subsurface Plan report, and a detention pond design sheet.

Mr. Fleming presented a drawing showing the proposed private road. There is a limited amount of road frontage on Spillway Road. The subdivision is 15 lots with an egress and ingress drive that is 1,100 ft long and continues as a loop measuring 1,900 ft around the front of each of the lots. The road exists of 2,800 ft overall and should conform with the code of the Town. Mr. Fleming stated that there is a plan for drainage, detention ponds and pipes along the road system. He also noted that the road will be maintained by a small homeowners association.

Mr. Fleming noted that some testing has been done and there is enough soil for septic systems on all of the lots to support single family homes and each lot will have its own well.

The Planning Board has concerns with the private road. Mr. Brueckner suggested that the Planning Board take these documents and maps to Mr. Darwak, town attorney, for clarification of the limit of 1,200 foot stated in the town code. This is the biggest issue on this project at this time. It is the feeling of the Board in order to help with the traffic, drainage, etc it would be better to have less lots.

The Planning Board will be in touch with Mr. Darwak and Mr. Wolinsky was agreement with this.

Miscellaneous Topics:

Mr. Economos stated that with the issue of the Shultis Subdivision that is currently in the Ulster County Clerk's office without the approval of the Planning Board. Mr. Darwak would write a letter to the Ulster County attorney but suggested that if Mr. Shultis would return to the Planning Board with maps and to get their approval and signatures, this would give Mr. Shultis an opportunity to make this right.

Mr. Economos discussed the Cipriano subdivision and noted that the drainage is working but the 20 ft was not deeded over to the Town, which was one of the provisions made for final approval. Mr. Cipriano did do a good job on the drainage problem. The Planning Board suggested that Mr. Economos put a note in the file stating that no building permit will be issued until the drainage is deeded to the Town.

Mr. Hakim asked the Planning Board members to think about how to set up an escrow for large site plans. This can be discussed at the next month's meeting.

Mr. Hakim asked the Board to review the **Regular Minutes** of February 7th, 2005 and the **Public Hearing Minutes of Breh Holding Corp. (David Oden)**. Mr. Vidal made a motion to accept the Regular Meeting Minutes and Public Hearing Minutes. Mr. Giebelhaus seconded the motion. Motion carried unanimously.

The meeting was adjourned at **9:30 PM**.

Respectfully submitted,

Dale Whipple
Secretary
April 17, 2005