

RECEIVED

2024-04-17

4/17/2024

Maggie,

Here is what I have for relevant documents for Never Alone that were associated with the review from 2004 - 2005. I thought they might be beneficial instead of just the 2005 resolution.

It should be understood that while the Resolution (on page 2) states that the Building Inspector determined that the use is not a public school but is instead institutional, I clarified at the meeting that the resolution was incorrect, and that then Town Attorney **Jack Darwak** had provided his opinion in writing that the use most closely fit the description of an institutional use, **not me** as Building Inspector. This is not reflected in the minutes, or, unless a different copy exists elsewhere, in the resolution. To the best of my recollection, I never made a determination, written or otherwise on the use during this review.

Best, Paul

PROJECT: "Never Alone" (lands of Mauer Enterprises, Inc.)

**RESOLUTION OF APPROVAL
SITE PLAN AMENDMENT**

Town of Hurley Town Planning Board

WHEREAS, the Town Planning Board has received an application for approval of site plan amendment from Mauer Enterprises, Inc., c/o Max Mauer, d/b/a "Never Alone", for the purpose of expanding a boys' dormitory and a girls' cafeteria on the site of a social service facility that provides on-site residential drug treatment, counseling and remedial education for adolescent youth; further located on a 33+ acre parcel located at 20 Crofts Road at the intersection of Dug Hill Road, Ulster County Tax Map S-B-L 47.003-2-11.1; and

WHEREAS, in accord with the Town Zoning Local Law, as adopted in 1991 (Now Chapter 210 of the Town Code), the Planning Board reviewed and granted site plan approval in June of 1992 to the applicant to establish the facility on the site of a former resort (Pinewood Lodge) in the A-2.5 Zoning District as an "educational institution", subject to certain conditions; and

WHEREAS, the facility is licensed and further regulated by the New York State Office of Mental Hygiene; and

WHEREAS, in accordance with the discussions between the applicant and the Planning Board during site plan review, conducted between 1990 and 1992, and reflective of the comments made at the public hearing held by the Planning Board on April 30, 1992, the conditions attached to the site plan approval included a maximum student/resident capacity of 25 youth; and provision for employing a security service to patrol the site's perimeter's during evening hours, conditions based in part upon the applicant's statements, made at the February 17, 1992 Planning Board meeting that:

"[t]he Never Alone program has no interest in expanding..." and that the program, as states at that time by the applicant's representative, "does not believe in treating more than 25 occupants at this site"; and further statements made at the June 1, 1992 hearing that:

the applicant, according to the applicant's representative, was considering the hiring of a "outside security" for control of visitors and patrolling of the grounds; and

WHEREAS, the applicant has submitted an application for site plan approval, in accordance with Section (§)210-41.A of the zoning law to amend the previous approvals and to provide for a revised on-site student/resident capacity of 28 youth;

WHEREAS, the applicant has stated that based on the existing floor area and interior layout of the existing buildings, the facility can only effectively accommodate 22 youth at present, three less than the maximum set forth in 1992; and

WHEREAS, the applicant proposes a two-story frame addition to the boy's dormitory measuring a total of 1,760 square feet (ft²); and also a one-story addition of 340 ft² to the girls' cafeteria; said addition to the boys' dormitory will permit additional enrollment of 6 boys into the program; and that said addition to the girls' cafeteria will not result in a enrollment increase but is intended to provide a less crowded environment; and

WHEREAS, the applicant also proposes replacement of free-standing signs that were previously damaged; and

WHEREAS, on November 1, 2004, the Planning Board held a public hearing on the application, and said hearing was continued and closed on December 6, 2004, at which times the Planning Board received substantial public comment; and

WHEREAS, the primary concerns expressed by abutting landowners were that of (1) on-site security, in reference to incidents where student/residents left the site unauthorized and without supervision, (2) the need for monitoring and supervision of outdoor student activities; and (3) provision of additional buffering between the site and neighboring residences, which can include relocation of certain outdoor activities away from the perimeter of the site; and

WHEREAS, the Town Planning Board has considered the prospect of future, piecemeal expansion of the facility and has expressed its concerns on setting an absolute limit on the student/resident capacity of the facility; and

WHEREAS, the Town Planning Board recognizes that the facility is unique in its ownership, organization and operation and that there are no other facilities like this in New York State; and

WHEREAS, the Town Planning Board has determined that the design of the existing septic system will effectively limit capacity to about 32 students with a corresponding ratio of counselors and other staff; and

WHEREAS, the applicant proposes no expansion or changes to the on-site sanitary systems; and

WHEREAS, the proposed site disturbance and construction will result in less than an acre of land being affected; and a storm water pollution prevention plan is not required; and

WHEREAS, the Building Inspector has reviewed the record of the Town and the nature of the existing use of the site and has determined that the proper classification of this use as an "institutional use" and not a "private school"; and

WHEREAS, the total amount of floor area proposed - 2,100 ft² - is less than the 4,000 ft² non-residential floor area threshold set forth in §617.5(c)(7) of the New York State Environmental Quality Review (SEQR) regulations and therefore the project is a Type 2 Action and an Environmental Assessment form is not required; and

WHEREAS, the Planning Board finds that the proposed expansion will utilize 52½% of the total allowable non-residential floor area for classification as a Type 2 Action pursuant to SEQR and

that the facility could expand in the future by up to an additional 1,900 ft² of floor area and still be deemed to be a Type 2 Action; and

WHEREAS, the Town Planning Board has reviewed the application and relevant materials submitted and has also taken into account its knowledge of the site and the surrounding neighborhood, and the standards of site plan approval set forth in §210-41.D of the Town Code; and

WHEREAS, the Town Planning Board has reviewed the Town records specifically in regards to the 1992 site plan approval that permitted the "Never Alone" program to be established and reviewed all issues raised in the review at that time and conditions attached to approval; and

WHEREAS, the Town Planning Board has finds that a link was made in the 1992 review between on-site security and the capacity of the facility, and that the 25 student limit was established to address on-site security and the safety of the surrounding neighborhood, a capacity limit which was voluntarily offered by the applicant; and

WHEREAS, it has been brought to the Town Planning Board's attention that the applicant has not hired an "outside security service" and that further the applicant has been allowing recreational programs and other outdoor activities to take place on a ball court that is located close to the site's frontage on Crofts Road and which did not appear on the approved site plan from 1992, and which further is not properly buffered from abutting properties or the public road; and

WHEREAS, under Section 239 l and m of the General Municipal Law, the project site does not require a referral to the County of Ulster Planning Board; and

NOW, THEREFORE, BE IT RESOLVED, that:

1. The Town Planning Board finds that due to the nature of the project and of the expansion, the possible increase in capacity that is being requested, measures proposed to minimize affects on the environment and the neighborhood from the expansion, and the prior conditions of site plan approval from 1992 that addressed on-site security, as well as subsequent security measures that have been enacted, that the application for site plan amendment is hereby approved in accord with Chapter 210, Sections 210-41.A through D, of the Town Code with the following conditions:
 - a. That for the reason of maintaining a harmonious relationship between the facility and the surrounding neighborhood, the capacity/enrollment limit established in 1992 at 25 student/residents remain unchanged.
 - b. The Certificate of Occupancy for the proposed building additions be issued only upon satisfaction of the following conditions:
 - (1) Provision of security service to monitor the site during the night hours, as was stipulated in the 1992 site plan approval;

- (2) Provision of screening, in the form of a fence or a combination of a fence and landscaping, to provide a visual buffer between outdoor activity areas on the site (such as the basketball courts) any public street; or, as an alternative, relocation of outdoor activities on the site to locations on the site that are presently screened and buffered from public view.
 - c. All remaining applicable conditions from the 1992 site plan approval apply and remain in effect.
2. The proposed replacement free-standing signs are approved in accordance with the provisions of §210-32 of the zoning local law.

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ITEM 7: Other Old Business

**“NEVER ALONE” c/o Max Mauer
Agent: Richard Rothe, PE
Expansion (Site Plan Amendment)
20 Crofts Road @ Dug Hill Road**

S-B-L: 47.003-2-11.1

Zoning: A-2.5 District

Our ref. No.: 2004-37

A. FINDINGS.

1. **Project Summary.** Applicant operates a residential drug treatment facility for adolescents with accessory remedial education services, and is requesting approval of a site plan amendment to add a one-story 340 square foot (ft²) addition to the girls' cafeteria building and a two-story addition of over 1,700 ft² to the boys' dormitory. The applicant also requests an increase in the on-site program capacity (or census or enrollment) to 28 students/residents. Approval of replacement free-standing signs is also requested.
 - a. A public hearing was held on November 1, 2004 and continued on December 6, 2004. The hearing drew any comments about on-site security and neighborhood safety, particularly in light of an incident within the past five years where student/residents left the site unauthorized and without supervision. Other public comments included identification of a need for closer monitoring and supervision of outdoor student/resident activities; and provision of additional buffering between the site and neighboring residences.
 - b. The Planning Board has examined its records in regards to the original site plan approval granted on 6/1/1992, and has determined that a linkage exists between security and safety issues and a capacity limit. A review of the Board's minutes from February 17, 1992 show the applicant's representative voluntarily offering a capacity limit of 25 students and that the program would not treat more than 25 students (residents) at this site.
 - c. The applicant has stated to the Planning Board, as part of the current application, that the effective operating capacity of the facility is only 22 students/residents, three less than the 25 maximum that was previously approved, and noted that this is due to the existing floor areas and layouts in the buildings.
 - d. The proposed expansion is a Type 2 Action pursuant to SEQR and does not require an environmental determination.
2. **Documentation.** The following was received for the current application:

<ul style="list-style-type: none">• Application for site plan approval, dated 9/16/04• Short EAF, Part 1, dated 9/17/04• Elevations and floor plans for cafeteria addition, 8 sheets, revised to 3/25/04• Elevations and floor plans for boys' dorm addition, 10 sheets,	<p>revised to 3/25/2004.</p> <ul style="list-style-type: none">• Site plan; prepared by Rothe Engineering and Construction (our copies dated 9/18/04 w/ no revisions)• Sign detail drawings and photo-simulations, 3 pages, undated• Sanitary capacity figures, dated 10/4/04 (2 pages).
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ITEM: Other Old Business, continued:

7.	M. Mauer: "Never Alone": Site Plan Amendment	[Our ref. no. 2004-37] S-b-l: 47.003-2-11.1
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B. CONCLUSIONS and RECOMMENDATIONS.

1. Based on the review of the Planning Board's past record regarding the original site plan approval, the conditions attached to the original approval, and comments made by the public at the hearing for the current application, as well as the applicant's own statements on the existing floor area and effective capacity that the facility presently operates with (22 students/residents/beds); the Planning Board has determined that it will not approve a capacity expansion to 28 students/program participants/beds for the "Never Alone" program.
2. The Board finds that the proposed building expansions are desirable to permit less crowded conditions for the girls' cafeteria and for the boys' dormitory, and further finds that the proposed addition to the boys' dormitory will allow for the facility to operate at the 25 student/resident/bed census limit that was established in 1992.
3. A revised draft resolution of approval for the site plan amendment is attached to this review setting forth the Board's findings and conclusions. The approval conditions also include the hiring of an "outside" security service to patrol the grounds and relocation of any outdoor recreation and activity programs away from that part of the site closest to Crofts Road, and provision of additional buffering and screening along this street frontage.

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.

4/4/05 ✓
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 the 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.

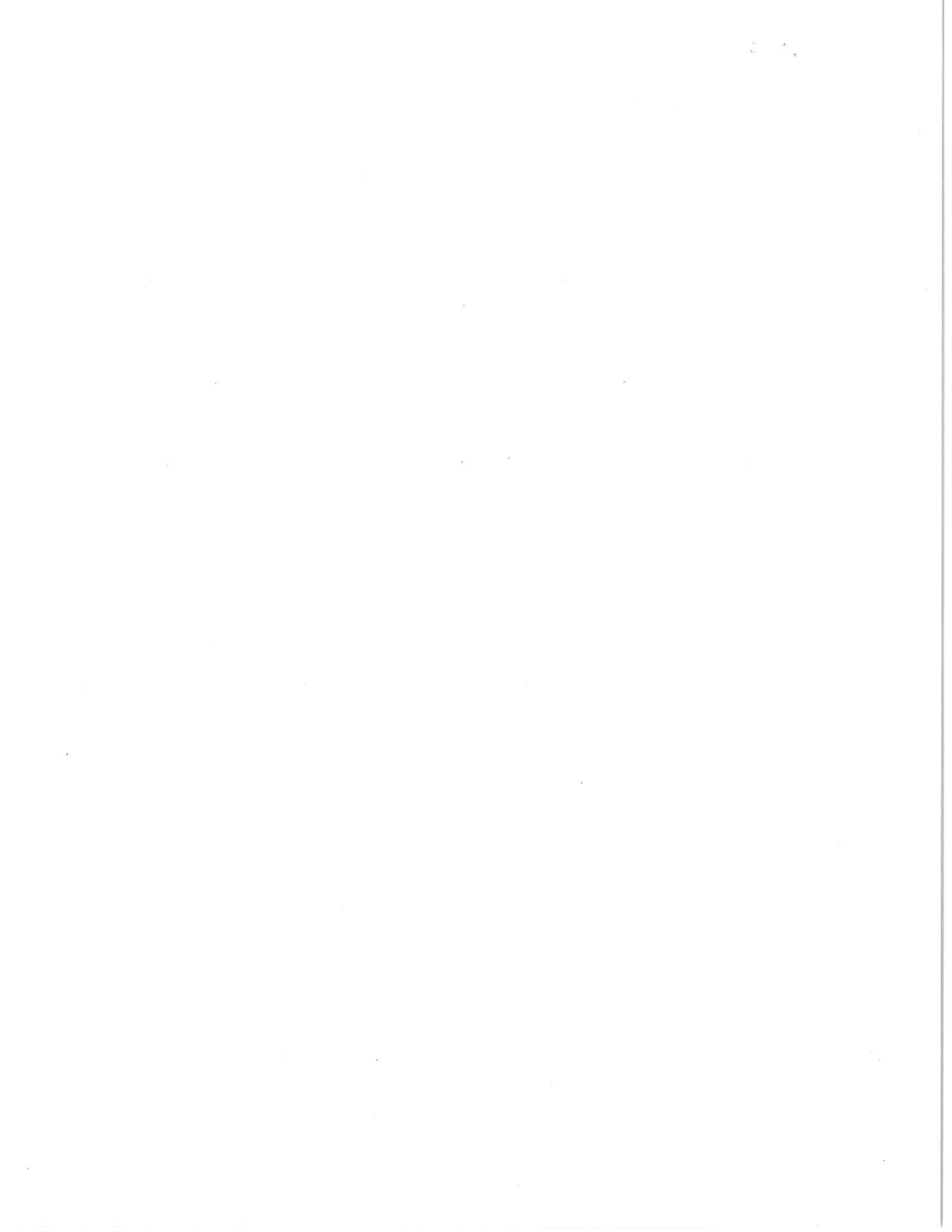
Mr. Hakim asked the Planning Board members to think about how to set up an escrow for large site plans. This can be discussed at the next month's meeting.

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



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Planning Board

National Historic Landmark

The **Regular Monthly Meeting** of the **TOWN OF HURLEY PLANNING BOARD** was held on **Monday, March 7, 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 Wayne Rice. A quorum was present.

Present on Floor: Miles Putman of Shuster Associates, Paul Economos, Code Enforcement Officer; Al Mayone, Town Board member; David Oden; Richard Rothe, engineer; Abby & Lloyd Gross, Robert Young, David Letersky and Paul Hakim.

7:00 P.M. BREH HOLDING CORP. (Richard Rothe, agent), DAVID ODEN, 5-LOT SUBDIVISION, DUG HILL ROAD, HURLEY, NY (SBL: 47.003-3-24.26)

A public hearing was held.

The Board has asked Mr. Oden and Mr. Rothe to obtain the DEC stream crossing permit, a letter of approval by the Town Engineer, Brinnier & Larios on the road issues and a letter of approval from the Board of Health.

Mr. Oden and Mr. Rothe will return to the next Planning Board Meeting next month.

7:20 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 was present.

Mr. Max Mauer is away on vacation and Mr. Rothe asked the Board to reschedule a time at the next meeting for Mr. Mauer to be present.

The Planning Board was in agreement with this request and will table this proposal until Mr. Mauer returns from vacation.

Mr. Rothe asked that he and Mr. Mauer be placed on next month's agenda. This will be done.

7:30 P.M. OVERLOOK ENTERPRISES, (Robert Young Associates, agent), SITE PLAN REVIEW/SPECIAL USE PERMIT, DENTAL OFFICE, 1260 ROUTE 28, WEST HURLEY, NY (SBL: 38.004-5-19)

Mr. Robert Young, architect, was present.

Mr. Young explained the proposal of an amended special use permit to add a Dentist's Office into an existing office which was previously Overlook Enterprises Builders located in the Route 28 Overlay District. Mr. young explained that the office will consist of a single Dentist with one chair and one receptionist. Dr. Millner is the dentist. The parking lot already exists with access for handicapped. There are front and rear lights over the doors. He stated nothing will change on the outside of the building. There will be some minor changes inside the building. The Board asked that Mr. Young specify on the plan the lighting and lighting should be shielded down similar to the Hurley Ridge Market's lighting. Mr. Young did show the Board a picture of the sign to be proposed but will need to scale it down some. That will be done.

The Board is asking for revised maps showing a drawing of the sign within the allowed limit, Board of Health approval for sanitary system and specify the lighting.

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

A public hearing will be scheduled for Monday, April 4, 2005.

Mr. Young will provide the Planning Board with a list of the adjoining property owners' names and addresses.

The proposal will need to be submitted to the Ulster County Planning Board of their review and comments.

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

7:45 P.M. SPM ASSOCIATES, 2-LOT SUBDIVISION, KINGSWOOD KNOLLS, HURLEY, NY (SBL: 55.004-9-7.8)

Mr. Hakim was present.

Mr. Hakim explained that his proposal is to subdivide a six acre lot into two lots with one being 1.9 acres and one being 3.9 acres which includes an area under the power lines. This is in the R-1 District. This is Lot 8 of the prior 10-lot subdivision approved by the Town back in 1991.

The Planning Board needs to see a map showing the proposed houses, septic, well and driveway locations, existing drainage facilities, proposed disturbance area and areas calculated.

Mr. Beesmer made a motion to schedule a Public Hearing. Mr. Rice seconded the motion. Motion carried unanimously.

A public hearing will be scheduled for Monday, April 4, 2005.

Mr. Hakim will submit to the Planning Board the adjoining property owners names and addresses.

**8:00 P.M. SPM ASSOCIATES, RE-CERTIFICATION OF MAPS, LOT LINE REVISION
LUCAS AVENUE/TWIN LAKES, HURLEY, NY (SBL: 55.004-9-14 & 15)**

Mr. Hakim was present.

Mr. Hakim noted that this lot line revision was presented to the Planning Board in 2002. He was granted a final approval but the maps were not submitted to the Ulster County Clerk's Office. The Board requires a set of new maps.

Mr. Brueckner, chairman, stated that a Public Hearing would need to be scheduled.

Mr. Rice made a motion to schedule a Public Hearing. Mr. Giebelhaus seconded the motion. Motion carried unanimously.

A public hearing will be scheduled for Monday, April 4, 2005.

Mr. Hakim will submit a list of the adjoining property owners' names and addresses.

Miscellaneous Topics:

Abby and Lloyd Gross were present. The Gross' reside on Van Dale Road in West Hurley. Ms. Gross is a mortgage officer for Centennial Mortgage in Kingston, NY. She has an office in her home to take information over the phone, and she processes mortgages electronically from her computer. There are no employees, customers, parking, signs, etc. at her home office. Ms. Gross explained that in order to conduct this business in her home, New York State Banking Department requires her to apply for a separate license and she pays a \$750.00 fee each year.

The proposal is required to be sent to the Ulster County Planning Board for their review.

Mr. Giebelhaus made a motion to waive a public hearing. Mr. Brueckner seconded the motion. Motion carried unanimously.

Mr. Giebelhaus made a motion to grant a conditional final pending the recommendations and comments from the Ulster County Planning Board. Mr. Brueckner seconded the motion. Motion carried unanimously.

Ms. Gross paid a \$150.00 fee to the Town of Hurley.

The Planning Board will contact Ms. Gross as soon as the Ulster County Planning Board sends their comments.

Mr. Hakim had received from Linda Esposito of Dug Hill Road, Hurley, an application for a home office in her home. Ms. Esposito was not present. Her business "House Setters" prepares homes for sale. She does this at the homes of her clients. Her home office is used for telephone calls, computer use and receiving mail. There are no employees, customers, parking, signs, etc. planned. Mr. Rice made a motion to waive a public hearing. Mr. Giebelhaus seconded the motion. Motion carried unanimously. Mr. Rice made a motion to grant a final approval. Mr. Beesmer seconded the motion. Motion carried unanimously.

Mr. & Mrs. David Letersky was present. Mr. Letersky was interested in purchasing the Newcombe property that was reviewed a couple of months ago by the Planning Board. The property is 18+ acres and is located on Millbrook Avenue in Hurley. The Planning Board explained that this property could not be subdivided because there is only a 30 foot frontage and Town Code requires a 50 foot frontage. The Planning Board stated that the property could be sold as one parcel.

Mr. Al Mayone was present. He stated to the Board that the Fire Chief of West Hurley would like to attend a Planning Board meeting. He would like 20 minutes. The Planning Board will put him on the next month's agenda.

Mr. Paul Economos was present. Mr. Economos explained a few items to be reviewed and discussed by the Planning Board.

1. The Cipriano subdivision approved a couple of years ago. Jack Darwak contacted Mr. Economos to make him aware that the 20 foot drainage easement was never deeded over to the Town of Hurley by Cipriano's attorney. This was part of the approval process by the Planning Board. Mr. Hakim will contact Mr. Darwak to discuss this issue.

2. As for the Route 28 Overlay District, is a mechanic's garage permitted in the B1 & B2 District. The opinion is that a Service Repair is allowed in the Light Industrial because of the noise impact.

3. A Hurley resident complained that in the Historic District is a satellite dish allowed to be installed on a Historic House? The Planning Board feels it should be allowed.

4. The Town has a illegal subdivision that was granted a conditional final approval in 2002 pending a Road Maintenance Agreement. The maps were never signed by the Planning Board granting a final approval. Thus, they were submitted into the Ulster County Clerk's office illegally. The Planning Board suggested a letter be sent by Mr. Darwak to the Ulster County Attorney's office. Mr. Hakim will contact Mr. Darwak to see what direction to go in to rectify this situation.

Mr. Putman mentioned that the Provenzano property on Lucas Avenue has a 2 acre lot that is part of the Town of Ulster. A public hearing is scheduled for 3/17/05. It is not relevant to the Town of Hurley.

Town of Hurley
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Planning Board

National Historic Landmark

AGENDA
MONDAY, APRIL 4, 2005

Miscellaneous Topics
Minutes
Correspondence

7:00 PM

PUBLIC HEARING
OVERLOOK ENTERPRISES
(Robert Young Associates, agent)
SITE PLAN REVIEW/SPECIAL USE PERMIT
DENTAL OFFICE
1260 ROUTE 28
WEST HURLEY, NY

7:15 PM

PUBLIC HEARING
SPM ASSOCIATES
2-LOT SUBDIVISION
KINGSWOOD KNOLLS
HURLEY, NY

7:30 PM

PUBLIC HEARING
SPM ASSOCIATES
LOT LINE REVISION
LUCAS AVENUE/TWIN LAKES
HURLEY, NY

7:45 PM

BREH HOLDING CORP.
(Richard Rothe, Bert Winne, agents)
5-LOT SUBDIVISION
DUG HILL ROAD
HURLEY, NY

8:00 PM

NEVER ALONE (Richard Rothe, agent)
TEEN REHABILITATION CENTER
SITE PLAN REVIEW
CROFTS ROAD
HURLEY, NY

8:15 PM

**MARK KERSTEIN/JACK COHEN
(Christopher Zell, agent)
2-LOT SUBDIVISION
BAKER ROAD
WEST HURLEY, NY**

8:30 PM

**HURLEY 209 COMPANY, LLC
DESIGNATION FOR "HIDDEN FOREST"
PLANNED RESIDENTIAL DEVELOPMENT
ROUTE 209/LUCAS AVENUE
HURLEY, NY**

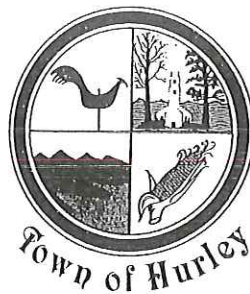
8:50 PM

**ASHTON FOREST SUBDIVISION
(Larry Wolinsky, Agent)
15-LOT SUBDIVISION
SPILLWAY ROAD
WEST HURLEY, NY**

9:10 PM

**DAVE BAKER, TOWN HISTORIAN
HISTORIC PRESERVATION REGULATIONS
TOWN OF HURLEY
HURLEY, NY**

Town of Hurley
P.O. Box 569
Hurley, New York 12443
Tel: 845-331-1177
Fax: 845-331-0058



Planning Board

National Historic Landmark
AGENDA
MONDAY, MARCH 7, 2005

Miscellaneous Topics:

Minutes

Correspondence

- 7:00 PM** **PUBLIC HEARING**
BREH HOLDING CORP.
(Richard Rothe, Bert Winne, agents)
5-LOT SUBDIVISION
DUG HILL ROAD
HURLEY, NY
- 7:15 PM** **NEVER ALONE**
TEEN REHABILITATION CENTER
SITE PLAN REVIEW
CROFTS ROAD
HURLEY, NY
- 7:30 PM** **OVERLOOK ENTERPRISES**
(Robert Young Associates, agent)
SITE PLAN REVIEW/SPECIAL USE PERMIT
DENTAL OFFICE
1260 ROUTE 28
WEST HURLEY, NY
- 7:45 PM** **SPM ASSOCIATES**
2-LOT SUBDIVISION
KINGSWOOD KNOLLS
HURLEY, NY
- 8:00 PM** **SPM ASSOCIATES**
RE-CERTIFICATION OF MAPS
LOT LINE REVISION
LUCAS AVENUE/TWIN LAKES
HURLEY, NY