

**Village of Cornwall on Hudson
Planning Board Meeting
March 19, 2014**

Present:

Maryanne O'Dell

Lee Murphy

Chairperson Jeff Small

Also present:

Andrew Fetherston- Village Engineer

Richard Hoyt- Village PB attorney

OLD BUSINESS

Storm King School

Chairperson Jeffrey Small called to order the meeting to finalize the resolution for Storm King School conditional site plan approval for a waste water treatment facility and renovations of two existing building as accessory uses. The resolution is the same as last week with a few minor corrections; thanks to Member Murphy for suggesting extra time for the review of this document. The list of drawings dates have been updated. Richard Hoyt has repeated some language from the Negative Declaration to state that this project is unique to the Village and the planning board is not setting a precedent, by approving this site plan. Item # 3 under special conditions directly refers to Maser's consolidated summary of comments being updated also.

Richard Hoyt stated that there will be further updates to the list of drawings on page 2 and the final summary might be further modified, so the file will have current and accurate documentation.

Chairperson Small asked for any comments. Member Murphy complimented all involved for the work that has been done on this project. Chairperson Small stated that we have received an updated part 2 of the EAF, which will be added to the file.

Richard Hoyt would like to reference item # 7, that the emergency response plan should be finalized and made condition of this approval. The draft emergency response plan can have comments made to it or we can refer this document review to Maser and the planning board. Member Lee Murphy would like the PB to have input into the process of this document.

Chairperson Small asked for a motion to adopt the resolution of conditional site plan approval with Member Murphy moving to accept the resolution and a second from Member O'Dell. All three members voted in favor to pass the resolution.

Chairperson Small asked that minutes for January and February 2014 to be approved as amended. Member Murphy made a motion to accept the amended minutes for both months with a second from Member O'Dell. All voted in favor of approving the minutes.

18 Church Street LLC

Chairperson Small stated that the applicant has been to the zoning board for two variances. That meeting was adjourned and a letter was sent from the ZB chairperson with questions to be answered by the planning board and a summary of the ZB meeting.

Dominic Cordisco- Requested a copy of this letter from the Zoning Board Chairperson.

Chairperson Small also stated that the planning board sent a letter of February 21, 2014 to Mr. Cordisco, asking the status of the 4 back lots and whether it is a two lot or a six lot subdivision: this was not answered.

Mr. Cordisco answered that only a two lot subdivision is in front of the board now and that the letter was not acknowledged by him or the applicant.

Chairperson Small stated that if this is a two lot subdivision, the private road has to be taken off of the application. There cannot be a road going nowhere and a turn around on another property; it should be a shared driveway if it is a two lot subdivision. It seems that keeping this application to a two lot subdivision is a way of getting around SEQR, and that is not right. In several months are we going to see a plan for the other 4 lot subdivisions?

Mr. Cordeisco stated that access off of Church Street is a better access for the back property and to preserve the opportunity in the future to do that and that is why the turnaround is on the Half Moon property. He takes issue that the board is suggesting that they are trying to bypass SEQR by including that now. A great deal of money time and effort went into the Half Moon Property and was a black hole. This application for 18 Church Street is a much better project. The applicant is looking to take the 18 Church St property and carve it into two parcels. The applicant has a buyer for the existing house and plans on building a house behind it. They are also looking for the rights to access the Half Moon property in the future subject to a plan review fully reviewed by the board at some point in time. The applicant hopes to move ahead with the 4 lots when the market improves and at this time it would be a financial hardship to the applicant.

Chairperson Small- discussed the access from this private road to Hudson Street. It is critical to develop the best way to access the Half Moon Ridge Property. There are a lot of ways to treat that area and it is important to come up with the best plan for these lots. We cannot do that if we are doing this piece meal. He wants to arrive at the best possible plan – it's all about process

Mr. Cordisco- His client thought that this 18 Church Street access was a better idea from an informal meeting with the board in March of 2013. Mr. Whalen is not trying to segment with a creeping subdivision and is trying to show the board a bigger picture. Discussion of what was planned for the Half Moon property on the Hudson Street lot and the applicant had gotten 36 different variances in 2005. Then the market dropped out and now here we are trying to get a simple two lot subdivision. That will also make provisions for the 4 lots on the Half Moon property in the future.

Member Murphy- The planning board did not suggest a density approach to that area but what was consistent with the market place at that time. It is a different issue and to back off and get away from that prior approval.

Mr. Cordisco- My client met with the zoning board to seek approvals for the zoning variances for a two lot subdivision. From his prospective his client was asked to get a letter from the fire chief about the private road. So his client will go back to the Zoning Board with this letter in April 2014 to pursue the two lot subdivision. And that the planning board is suggesting that they would like to see all 6 lots be fully engineered plans so the board will feel comfortable approving this application. He is not sure if the client will be proceeding with this request.

Member O'Dell- discussed the fact that she feels this is a new application and all the applicant is asking for is a simple two lot subdivision with the zoning board.

Chairperson Small stated that the plans submitted show a private road going thru the two lot subdivision and having a turn around on the Half Moon Ridge property. It is different because this is a road that is going to a non-approved 4 lot subdivision, with a turn around on another property. The purpose of the road is to gain access to the Half Moon Property.

Chairperson Small did not love the house behind 18 Church Street but could be persuaded to like the idea of the house, if the applicant made a compelling case. Splitting the two projects is not a good idea.

Dominic Cordisco— The difficulty is what the board is asking is a fully engineered plan for all six lots. The market can only bare the sale of the house and the marketing of the lot. All future plans will come in front of the board.

Richard Hoyt shows plans that were submitted for informal hearing. Board discusses how the fire department can access this property. The fire department suggests a fire hydrant be installed on the Half Moon property.

Chairperson Small - Is there a way to proceed with a 6 lot subdivision and defer some engineering on the 4 lots?

Richard Hoyt asked if the applicant thinks he has a valid approval of the 4 lots?

Dominic Cordisco says yes the applicant thinks he has approval of the back 4 lots.

Richard Hoyt shows a site plan the west side with no detail of the back 4 lots. He doesn't believe that there has been activity pertaining to the 4 back lots. Do you plan on perusing the plan for the 4 lots soon? If this applicant is not going to pursue this project for a few years then the two lot subdivision can move forward.

Dominic Cordisco- It's a two lot subdivisions and the only approval they are pursuing at this time. I cannot tell the board what the time line is as the market needs to improve. Mr. Whalen has no intention of building this season. His applicant can contort the plan to move the turnaround onto 18 Church Street lot. It seems there are no approvals for the back lot despite the massive engineering study done on that lot.

Chairperson Small- What's to stop the applicant from coming back and submitting plans for 8 houses instead of 4?

Dominic Cordisco- What the board is asking is much more than what the applicant can afford to do at this time. His applicant will proceed to the zoning board with the request for a letter from the fire department.

Steve Drabick- The idea of the two lot subdivision wasn't the intent to skirt SEQR. To create two lots and to recognize that the 18 Church Street access enhances the value of the Half Moon property. Applicant didn't want the two lots without having access to the other lots on Half Moon. Future property owners will not be willing to give an easement over their property, so once again we would have to go back to access to Half Moon by Hudson Street.

Chairperson Small wants to have a plan to work towards.

Andrew Fetherston- What's the difference between this subdivision and other subdivisions that have future access proposed which have been approved. If the hammer head was shown on the same property and the driveway was wide would that change how the board views this plan?

Board continues to discuss which building is on what piece of property. The public needs to know who would use the private road and how many people would be using this road. Church Street residents need to know the destination of the private road and which part of each development can use. The landscape plan and water and sewer and storm water studies will need to be done. Prior engineering review for Storm Water, on the Half Moon lot do not meet the current requirements.

Richard Hoyt states that the planning board has submitted a letter to the zoning board. The letter, dated 3/20/14 has been included with these minutes. Mr. Hoyt also discussed the need for variances that might be needed and that the planning board did not tell the applicant to seek variances from the zoning board. There is a possibility that this private road might be expanded in the future and that it needed to be built to Village specs unless it is waived. There was a reading and discussion of the 3/20/14 letter.

Chairperson Small asked for a motion to close the meeting with a motion made by Member Murphy and a second by Member O'Dell, all voting in favor. The meeting adjourned at 9:00 pm.

Respectfully Submitted,
Arlene Roberts