

**VILLAGE OF CORNWALL-ON-HUDSON
PLANNING BOARD
TUESDAY APRIL 15, 2014 - 7:00 P.M.**

Present Were:

Lee Murphy
Jeffrey Small, Chairperson
Vishwa Chaudry
MaryAnne O'Dell
Wynn Klosky

Also Present:

Village Engineer
Joe McKay, Attorney
Kristen Boyle, Recording Secretary

The meeting was called to order by Mr. Small at 7 pm.

Mr. Small stated that Richard Hoyt will be missed. Mr. Murphy read a correspondence from Mr. Hoyt into the record.

PUBLIC HEARING

Sciple-Kiefer-Bayview Ave- The subject property is a 2.68± acre parcel with one existing residence. The proposal is to subdivide 1a 1.7± acre vacant parcel upon which a new residence is to be constructed. The property is known as Tax Map Section 112 Block 1 Lot 16.2 with a sliver of land known as Section 112 Block 1 Lot 15.1. The property is in the View Preservation Overly District. Access for the new lot is proposed to be over Mountain House Lane, a private road.

The attorney for the applicant stated that this is a two lot subdivision with an existing historic home on the property. It was originally planned to donate this home to the historical society, however they are not ready to accept the donation. Four property owners own the easement rights over the right of way. The Road Maintenance Agreement needs to be drafted. The road has been walked with the Fire Dept and the Planning Board. It is not in the View Shed. A waiver is needed for the road.

Mr. Small stated there is not enough Street Frontage in the back. It could be reconfigured to create a flag lot. There was concern with the bottle neck in the road.

The applicants' attorney advised that there are provisions to widen the road. One home could be added but the improvements would be for all who use the roadway.

There was a lengthy conversation regarding the roadway and the agreement.

Mr. Small read a letter from the McDonalds into the record which stated various concerns.

There was a lengthy conversation regarding the well and its placement.

The attorney for the applicants advised that the well needs to meet the state requirements and that he will gladly meet with the McDonalds to go over their concerns.

Mr. Murphy states that he can not support this project as the regulations require a certain amount of frontage which this application does not meet.

PUBLIC COMMENT:

Bill Powell – Mountain House Ln- States he is curious why the applicant never contacted him. His home and hedges are very close to where the road is currently. He is concerned he will lose a bunch of trees. He would also like to know where the septic is going to be as his property floods heavily during rain storms. Mr. Powell also spoke of his property line being changed before he bought his home and asked if it could be changed back.

The applicants' attorney stated that the 3 properties who are involved with the maintenance agreement were contacted. The proposed road widening should not affect the Powell property. The septic system will be downhill from the side of the home. A swell will be added to help alleviate any drainage issues.

The Village Engineer advised some of the drainage will be cut off by the house and the adding of the swell.

Mr. McKay asked that Mr. Powell submit a copy of his deed.

Mr. Small stated he would like to keep the hearing open another month.

A motion was made by Mr. Murphy to keep the hearing open and this was seconded by Mr. Chaudry and all voted in favor.

NEW BUSINESS

Rock Wall Pub & Grub- 55 Academy Ave- Applicant is requesting site plan approval to place a 19.9' x 20' patio on the right side of an existing building.

The applicant states that right now there is a walkway where the proposed patio will go. The applicant wishes to put a little patio with 6 tables for outdoor dining. There is currently a light outside the door that would lead to the patio. This light stays on all night for security reasons.

The light does not project anywhere. The kitchen is open from 12pm to 10pm so the last seating would be at 9pm. No music would be outside. Have not had any noise complaints since they have opened and people do go out to this area currently to smoke.

Mr. Small stated it is a good idea to not have light shining at the neighbors. Also may want the out door dining closed before the indoor dining. He also suggested the applicants approach the neighbors.

Mr. Chaudhry advised when people drink they get loud.

Ben Maggio- Code Enforcer- Advised he only referred the applicants so that it is done properly. He didn't see an issue with what they wanted to do.

Ms. Klosky asked if there would be something put in place so that cars would not drive onto the patio.

Mr. Murphy asked how many spaces there are and also stated everything must be clearly marked on the plans.

The Village Engineer advises there are 15 spaces.

A resolution was made to declare the Planning Board as lead agent under SEQR by Mr. Murphy this was seconded by Mr. Chaudhry.

A motion was made by Mr. Muphy to hold a public hearing on May 20 at 7pm by Mr. Murphy and this was seconded by Mr. Chaudhry.

Toni Minuta- 276 Hudson St- Applicant is requesting a change of use from the past use of a counseling center to a hair stylist service center.

The applicant advised that she and her husband just purchased this building. They are in the process of renovating it into a salon and they need to apply for a change of use. The building is old and doesn't have a Site Plan. There is lighting outside which needs to be redone.

Mr. Small stated that full cut off lighting would be preferred.

Mr. Murphy asked what the plans are for the second floor. The applicant advised it would be used as storage.

Mr. Chaudhry asked how many parking spaces there are to which the applicant advised there are 5.

Mr. Maggio advised the applicants meet all requirements for parking as the code goes by square footage.

Mr. Murphy states his concern is that if the applicant were to change the use again that it come

back to the board.

A motion was made for preliminary Site Plan Approval with the following conditions:

1. The use of each floor must be stated
2. The hours of operation must be listed (8am to 8pm)
3. Parking must be shown with lines
4. Lighting – It must be delineated where it will be

The plan will need to be submitted to Ben Maggio. The applicant will come back in May for final approval.

This motion was made by Mr. Murphy and seconded by Ms. Klosky. All voted in favor.

18 Church St- Removed from the agenda

Training by Simon Gruber began at 8:50pm.

With no further business to come before the board the meeting was adjourned at with a motion by and a second by .All voted in favor.

Respectfully submitted,

Kristen Boyle
Recording Secretary