

**VILLAGE OF CORNWALL-ON-HUDSON
PLANNING BOARD
TUESDAY, NOVEMBER 17, 2015 - 7:00 P.M.**

Present Were:

Jeffrey Small, Chairperson
Vishwa Chaudry
Wynn Klosky
Lee Murphy
Maureen Spaulding

Also Present:

John Furst, Attorney
Andrew Fetherston, Village Engineer
Roberta Hastey, Recording Secretary
Ray Hecht of Storm King School
John Fuller, Architect for Storm King School
Michelle and Eric Denega, Neighbors
Paul Janus, Neighbor

The meeting was called to order by Chairperson Small at 7:02 pm.

PUBLIC HEARING

Storm King School- 314 Mountain Road- Applicant is requesting review of updated site plan modification to add a gazebo, a side yard deck and a pathway from the waste water treatment.

Ms. Spaulding recused herself from the proceedings due to possible conflict of interest.

Mr. Hecht withdrew plans for the stairs stating that they would table that portion of the project until resolved with neighbors. He also apologized to the neighbors for placing the landing step of the stairs on the Denega's property.

Gazebo (also referred to as a Pavilion)

The new pavilion will be about 28 feet wide by 28 feet long and will be made to mirror the iconic bell tower. This project will be a point of pride for younger alumni and there is a great deal of support for it among the more recent graduates. There is no special lighting, no walls, just four posts. Mr. Hecht presented the plans to the board and public.

Public Hearing

Although the stairs have been tabled, Mr. Small read the Denega's letter into record and also asked that the plans be corrected to show the true property lines.

Letter from November 5 from Michelle Denega, 8 Abbott Lane.

- The Storm King School's plans showed the landing/last step of the planned stairs on the Denga's property
- Filed no trespassing complaint against school due to a path being cut through their property.

- Do not wish to consent to use of their property by the Storm King School in any way other than what is the proper use of the easement.
- Safety measures should be addressed regarding use of the easement.
- The specific use was not clear for the staircase and it should be limited to only the family/faculty in the log cabin use to and from the school.

Mr. Fetherston reviewed the letter and felt that a surveyor, title company/lawyer should be brought in to resolve the property line issues.

Mr. Small stated that whether the staircase is dropped for a month or a year, the documents need to be correct. And although the titles might be confusing, especially as the School has been in existence for over 140 years and terminology has changed since then, the current plans need to be clear and accurate. Staircase should be removed from plans until cleared up so there is no confusion with the plans for the gazebo and deck or at the very least any use of the Denega's property should be removed.

The adjusted plan should indicate whose property is whose as pieces on the current plan are not clearly and in one case correctly defined.

Mr. Hecht responded to the Denga's letter. The Title does not say what type of traffic is allowed on the easement. He is not seeking consent for use of the access road as it is a right of the owners of that property but they did not assume they could use their neighbors' property and as soon as they realized there was some ambiguity to the correct property lines, they ceased all activity that came near the Denega's property. School use of their own property is covered under their own insurance policy and would not affect the Denga's liability. The school is aware of the no trespassing signs as they are frequently placed and an eyesore. The school's intent is to be good neighbors and will continue to act in that fashion. Regarding property lines there was some confusion due to the age of some of the deeds and the encroachment was purely unintentional.

Lighting

Mr. Hecht – the Gazebo will have a fan with a light but inside of the structure.

Mr. Small mentioned that for the maintenance and waste water treatment plant full cut off fixtures were requested by the Board previously and it does not look like that has happened.

Ms. Klosky explained what a full cut off fixture was and the benefits for the school and public.

Mr. Chaudry suggested timers or motion detectors

Members of the Board felt the changes to the maintenance shed did not make as much of a difference as hoped for.

Mr. Fetherston offered to send a lighting designer up to the school at night to evaluate the current situation and make recommendations.

Mr. Murphy would like all elements – including added and existing lighting fixtures noted on planned changes.

Public Hearing

Paul Janus of 46 Deer Hill Road, spoke regarding lighting. Lighting is important for the Village as well as the School. Lighting can create a safe and welcoming space if done right and a good plan can also minimize electric use. The current over-lighting can cause problems by glaring in motorists' faces. Mr. Janus gave some examples of where the lighting could be improved.

Mr. Hecht explained that lighting will be worked into future plans and included in the masterplan but he was not prepared to discuss the topic so extensively.

Deck

Mr. Murphy questioned the fact that there was no lighting on the deck noted.

Mr. Denga (also of 8 Abbott Lane) thought the Art Building might be the source of the excessive lighting and not just the water plant. He also stated his concern that approval for easement use might lead to future encroachment as there has been a history of trespassing by students.

Andrew Fetherston, Village Engineer - Survey map made no mention of conditions regarding easement use.

Mr. Small stated it was important for the Board to be presented with correct information and that the plans must be corrected.

Mr. Hecht – the stairs had been planned for family/faculty and not for all students.

Atty Furst listed changes to be noted on plans and if there is no additional lighting, that too should be noted.

The Board can accept plans with staircase still on it but approval will be noted to exclude the stairs.

Mr. Murphy brought up the neighbors' concern of additional use of the stairs for the students and a reference by one of the faculty to crossing the Denega's property by one of the clubs.

Mr. Small asked whether the stairs were planned to be used by the students. Mr. Hecht responded that was not the intended use but felt that if the students were to use the stairs it should not be an issue as it is still the School's private property. The encroachment by the coach off of the school's land was purely unintentional was not part of a larger plan to use the neighbors' property.

Atty Furst as Orange County has not replied and it is still within 30 days the Board cannot approve and will have to meet again on the matter.

A second meeting was suggested and that by then the drawings will need to be cleaned up with corrected property lines and lighting noted. Specifically:

- Key plan revised
- Clarify owners of property
- Remove landing from Denega's property
- Add references to lighting or state no additional lighting on deck and gazebo.

Plans for the stairs will be put on hold.

Public Hearing will be left open for Monday, November 23. A special notice will need to be placed on the website and at Village Hall

Mr. Chaudry motioned to continue the public hearing on Monday, November 23, Mr. Murphy seconded, all in favor.

Meeting Minutes

A motion was made by Mr. Murphy to approve the minutes of February 17, 2015, Ms. Klosky seconded, all in favor.

A motion was made by Mr. Murphy to approve the minutes of October 20, 2015, Mr. Chaudry seconded, all in favor.

Meeting was adjourned at 8:28pm

Mr. Murphy motioned to adjourn the meeting, Mr. Chaudry seconded, all in favor.

Respectfully submitted,
Roberta Hastey
Recording Secretary