

**VILLAGE OF CORNWALL-ON-HUDSON
PLANNING BOARD
TUESDAY, JANUARY 19, 2016 - 7:00 P.M.**

Present Were:

Jeffrey Small, Chairperson
Lee Murphy
Vishwa Chaudry
Wynn Klosky

Absent:

Maureen Spaulding

Also Present:

Roberta Hastey, Recording Secretary
John Furst, Attorney
Ross Winglovitz, representing Sciple/Kiefer
Andrew Fetherston, Village Engineer

The meeting was called to order by Jeffrey Small, Chairperson at 7:00 pm.
Mr. Small noted the acceptance of a negative SEQRA declaration at the last meeting and thanked Mr. Murphy for stepping in as chairperson last month.

Continuation of Public Hearing

Sciple/Kiefer- 2 lot Subdivision- A. Applicant is requesting review of a previously submitted site plan for the approval of a two lot subdivision.

Victoria Weiser of 226 Bay View, questioned what would be done with the house currently on the lot and if a new house would be built. Her main concern was that the drainage not be disturbed.

Mr. Small stated that a new house would have to be built within current zoning requirements and if it were not within those requirements it would need to be brought before the Village for approval. A house built on the current footprint would need to go before the Zoning Board as it is not within current zoning requirements; at that hearing concerns could be brought before the Board.

Andrew Fetherston, Village Engineer stated that the side of the property near Ms. Weiser would be precluded because of setback requirements.

John Furst, Attorney pointed out that a new house would need a building permit and the building inspector would need to review the storm water, erosion and sediment control and if it did not meet requirements would also need to be brought before the Village for a variance.

Brian McDonald, 4 Mountain House Lane was concerned about the septic because of the way the water pours off of the mountain during very heavy rains.

Mr. Winglovitz had noted Mr. McDonald's concern at the previous meeting and added his well to show the separation from the septic system on the plans.

Mr. Fetherston pointed out the well was over 100ft away and is not directly downhill from the septic. Perc rates were taken and were very good. He also noted the septic was on a much more restricted (limited) slope than the slope of the mountain. The percolation tests were very good.

Mr. Winglovitz showed on the plans a swale built around the back of the house to divert the water away from the septic area and minimize potential flooding of that plain.

Ms. Weiser questioned when the percolation tests were done.

Mr. Fetherston replied that it was done per NY State Health regulations and per Orange County Health Regulations. The applicant's engineer has put a swale around the backside of the home which would interrupt and capture water flow coming toward the home and the septic and divert it around right. Additional comments were addressed from the last meeting to take the water right to where the drainage is going so it will pass under Bay View Avenue.

Mr. Winglovitz - While not done during a storm, the percolation tests were done one or two days after a heavy rainfall and still were very good.

Mr. Small asked for any more questions. As there were no more questions, *Mr. Murphy motioned to close the public hearing. The motion was seconded by Ms. Klosky, all in favor.*

Conditional Approval for the application with the following conditions:

1. Applicant must obtain approval or sign-off from NYDOT with respect to the relocation of the driveway on Rte. 218.
2. The attorney for the Planning Board must approve the access/easement in road maintenance agreement needed for the proposed shared driveway which will be recorded simultaneously with the final approval platt.
3. Applicant must pay the necessary park/recreation fee.
4. Applicant must pay all outstanding escrow fees.

Mr. Chaudry asked if all due diligence had been paid regarding public safety/NYDOT. Mr. Fetherston responded that the applicant was asked to meet with NYDOT which they did. They were asked to find the optimal location given the circumstances for the driveway, which they also did.

Mr. Small asked to go over the changes to the plans.

Mr. Winglovitz: A revised set of plans were submitted based on comments from consultants and those received at the October 20 and December 15 Planning Board meetings as well as comments received on October 16 and December 11. Revisions include:

- updating bulk table info;
- removal of driveway for existing house;
- grading – since they had flipped the plans they needed to regrade;
- added some additional spot elevations;

- proper depiction of the swale, and grading for the swale;
- showed discharge point for the swale;
- retaining wall for the driveway - which will need to be designed by an engineer at the time they finalize the design (part of the building permit);
- limit of Disturbance shown on plan;
- driveway shown as 12-foot wide throughout.

A joint site inspection was conducted on January 6. Amendments have been added to the plan that Steve Draybeck first submitted.

Mr. Murphy brought up requesting a vegetative buffer around the property within the setback. Mr. Small explained that customarily in the CR1 zone a vegetative buffer around the property lines is included in the plans. This vegetative buffer would help maintain the character of the zone.

Mr. Winglovitz said the plan currently shows the limits of disturbance around property and can add a vegetative buffer between the property line and limits of disturbance to preserve that area.

Atty Furst added that after construction no sheds outside the limits of disturbance and the area to be kept as a vegetative buffer.

Mr. Small polled the Board and Village Engineer for any other comments.

The final approval is subject to the conditions including a fifth condition of a vegetative buffer within the limits of disturbance.

Ms. Klosky motioned to give final approval of the application subject to the conditions previously stated. The motion was seconded by Mr. Chaudry, all in favor.

Atty Furst will revise the approval and add the fifth condition of the vegetative buffer and correct the typo of the Route (218 versus 208) and circulate to the members of the board.

Planning Board Meeting Dates for 2015

Mr. Small referred to the notice Arlene Ross circulated regarding planning board meeting dates for 2016 including the change of the March meeting due to Election Day.

Mr. Chaudry motioned to approve the dates. The motion was seconded by Ms. Klosky, all in favor.

Meeting was adjourned at 7:26pm

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

Respectfully submitted,
Roberta Hastey
Recording Secretary