



Town of Denning - Planning Board Meeting

September 12, 2012

Members of the Planning Board present were: Chairman Carl Landon, Mr. Joseph Sibiga, Mr. Greg Vurckio, Mrs. Elaine Beck, and Mrs. Jennie Snyder. Members absent: Mr. Steve Bobik and Mr. Dennis Deyo.

Four members of the public present including, Councilman Mike Dean.

The Chairman explained that the regular meeting date was changed from the 13th to the 12th due to the Primary Election on Thursday.

Meeting called to order at 7:04 pm. by Chairman Landon. The Chairman stated that the Board would postpone the reading of the Minutes and start the meeting with the business brought before the Board.

Old Business

Subdivision - Carol Ramsay SBL# (58.-1-24.100)

Mr. Rick Brooks representing Ms. Carol Ramsay, presented the Board with subdivision maps for SBL# 58.-1-24.100. The Chairman stated that there was already a Public Hearing for the subdivision and sale to the DEP for Ms. Ramsay's property. The Chair mentioned that he had spoke with Ms. Ramsay on the phone, and she approved everything.

Mr. Brooks and the Board reviewed the subdivision maps. Mr. Brooks stated that Ms. Ramsay has 34.4 acre parcel on Yeagerville Road that extends both sides of the road. Ms. Ramsay plans to create one lot just over 3 acres for her house, well, and septic and sell the rest of the property to the DEP. To accommodate the amount of acreage that she will be retaining, the parcel will extend on both sides of the road. Mr. Brooks went on to state that to accommodate the zoning, and the contract that Ms. Ramsay has with the DEP, there was only one way to configure the parcel that she will be retaining. The Chairman stated that when the Board approved the preliminary plan that the boundary line was different and that there was a question of right-of-ways. Mr. Brooks stated that the line on the map was just to indicate that there is a roadway through the property. The Chairman inquired if the final deed will grant any right-of-ways. Mr. Brooks stated that Ms. Ramsay would not be granting any right-of-ways.

Discussion followed on surveying abbreviations, and different ways of measuring property. The Chairman complimented Mr. Brooks on the map. Mr. Brooks stated that he would stop by Ms. Ramsay's house after the meeting to have her sign the map. He also stated that he would make a copy of the map for the Planning Board. The Chair requested that he make 2 copies for the Board. The Chairman asked if there were any comments. There where no comments given.

Motion to accept the subdivision as presented by Brooks and Brooks, by Mr. Joseph Sibiga seconded by Mr. Greg Vurckio. No objections, motion carried. Approved by a Resolution. Resolution No. 2 of 2012 regarding Ms. Carol Ramsay's property 394 Yeagerville Road SBL# 58.-1-24.100 will be written at a later date.

The Chairman signed the subdivision map and thanked Mr. Brooks for coming. The Chairman stated that after the Board receives copies of the map with Ms. Ramsay's signature that the Board would give Mr. Brooks a copy of the resolution.

The Chair and Mr. Brooks reviewed the zoning map. The Chairman inquired if help was needed with the zoning maps if he could call on Mr. Brooks for assistance. Mr. Brooks replied, yes.

Special Use Permits - Blue Hill Lodge (SBL# 50.1-1-44)

The Chairman introduced Mr. Tom Matthews representing the Blue Hill Lodge SBL# 50.1-1-44. The Chair explained that he was unable to locate the special use permit for the Blue Hill Lodge, so he asked Mr. Matthews if he would appear before the Board. The Chair read the zoning law for a special use permit. The Chairman stated that he would complete a special use permit form for the Blue Hill Lodge 1471 Denning Road, and that it will supersede any previous form.

Mrs. Beck inquired if there had already been a public hearing for the special use permit. The Chair replied yes, there was already a public hearing in 2006. Mr. Matthews stated the various uses for the complex consisting of 4 buildings including: a wine and liquor store, a restaurant, a convenient store, a deli, commercial retail space, a possible gift shop, 3 motel rooms, 2 apartments, and an event center. The Chairman stated that he wanted all the special uses to coincide with the new zoning law.

Discussion followed on 911 addresses and combining parcels. The 911 addresses are as follows: 1471 for the main Building, 1469 for the motel, 1465 for the event center (formerly know as the "barn"), and 1463 for the house / apartment building. Mrs. Snyder inquired if each building would need a special permit. The Chair replied that the permit process is for use. The permits are for the main complex and the event center.

The Board reviewed and discussed zoning laws and definitions at length. The Chairman and Mr. Matthews signed the special use permits.

Permits issued:

- ***Main Complex buildings 1471 and 1469: (Restaurant, Food Store, General Store, Retail Store and Shops, Hotel and Motel, Retail Space).***
- ***Event Center building 1465: (Service Establishment: including art shows and gallery, catering, weddings, birthday and anniversary parties, reception, social events).***

The Chair stated that the barn / event center is a new permit *dated 2012-09* and the permit for the complex supersede *any prior* permit and is dated 2006-07. Mr. Matthews stated that the Blue Hill Lodge had previously obtained a temporary permit to hold a party at the barn.

The Chair inquired if the event center would have a formal name, for example, the main complex is named the Blue Hill Lodge and Cafe. Mr. Matthews stated that at this time there is not currently a formal name for the event center. The Board continued to discuss which zoning law would best apply to the event center. The Chair inquired about the different uses for the event center. Mr. Matthews replied the possibilities would include: art shows and gallery, catering, weddings, birthday and anniversary parties, receptions, social events, etc.

Discussion followed on different event possibilities that come under the description of an event center. It was decided that the remodeled barn / event center would come under the zoning definition of service establishment. Mr. Matthews stated that the Blue Hill Lodge would

have a new site plan by the end of the year.

The Chair stated that if the Blue Hill Lodge has anything more that they want to build, they would have to appear before the Board; and to keep in mind that the new zoning will be a little stricter because of the flood plain. The Board thanked Mr. Matthews for coming.

Site Plan Review - Ken Kobayashi (SBL # 58.2-2-8)

Mr. William Illing representing Mr. Ken Kobayashi presented the Board with the site plan maps for SBL # 58.2-2-8 located at 467 Greenville Road. Mr. Illing and the Board reviewed and discussed the site plan maps. Discussion followed on windows, Japanese architecture and culture, and the preparation of herbs for medical purposes. Mr. Illing mentioned Mr. Kobayashi's intent to pursue 3 acres for tax exemption. The Board explained to Mr. Illing that the decision for tax exemption status on a property has nothing to do with the Planning Board. The Chair stated that the Board's only involvement in the process would be the subdivision. Mr. Illing stated that with the zoning it would be a 3 acre minimum.

The Board and Mr. Illing reviewed and discussed the zoning map. The Chair mentioned that he spoke with some of the neighbors and they expressed some of their concerns that everything was done according to the books. Discussion followed on: added screening to the parking lot, logging roads, utility lines, driveway size, curve radius and grade angle to accommodate emergency vehicles and well rigs, stairs, and zoning law easements.

The Chairman stated that the subdivision that is being looked into is 3 acres, but he would prefer 3.1 acres instead. The Chair noted that with the new zoning the minimum lot size will increase to 5 acres, but since they have already started the process, it will stay under the old zoning law. Discussion followed on screening size and light exposure in the wintertime to melt any ice and snow.

Mr. Illing stated that Mr. Kobayashi plans on getting Mr. Anthony Siciliano, to survey the property, and that he will probably represent Mr. Kobayashi next time. Mrs. Beck stated that although Mr. Kobayashi wanted to call his complex a conference center, that according to the new and old zoning law definition of a conference center, which would include food services and overnight accommodations. Since, Mr. Kobayashi, stated at the Public Hearing that his establishment would not include overnight guests or food services, then it would not be considered a conference center on a special use permit. The Board discussed which zoning law definition would best apply to the complex. It was decided that it would be considered a cultural facility. The Chair stated that the new zoning law definitions are available on the Town's website. Discussion followed on parking lot surfaces and spaces, railroad tie planters to retain gravel from being washed away and transformers.

The Chair stated that before the Code Enforcement Officer would issue a certificate of occupancy the parking lot would have to be finished. Councilman Dean inquired if the DEP would have any involvement on this project, or have any stipulations on non-permeable surfaces. The Chair replied that the DEP is a distance away from the project, and were invited to the Public Hearing and were a no show. There are storm water regulations especially for the size roof it will have. Mr. Illing stated that he expects that the DEP will be involved with the septic plans, stormwater runoff and possibly the parking lot surfacing. The Chair suggested having a percolator pond for additional water run off. Mr. Illing inquired if they first need the DEP's approval before the Planning Board can approve it. The Chair stated that any building with a septic located on less than 5 acres needs a perk test according to Ulster County. The Chairman explained that they would need a perk test before

subdividing the property, and it would be recommended that a well is dug first as to fit everything around it. The Chairman stated that the Board pretty much agrees with the plans and with a perk test, and well, and with the easements that he already has, we are pretty much approving it.

The Chairman stated the access will be pretty much the same it just needs to be changed to 50ft. Discussion followed on screening, easements, a recommended well, septic, perk test, subdividing acreage, stairs and landings, pine siding, windows, interior, solar energy, and double walls. Mr. Illings stated that the building would have 12 inch walls. The Chair inquired if the Board could keep copies of the site plan. Mr. Illing replied, yes. Mr. Illing stated that if the perk test passes that he is confident that Ulster County will approve, and then he will draw up preliminary plans. Mr. Illing stated that Ulster County has a chart and formula for water usage per person. Discussion followed on the building process possibly disturbing the neighbors and the zoning laws. Mr. Illing thanked the Board for their time and the Board thanked him for coming. Discussion followed on approval and switchbacks.



August 9, 2012 minutes were read by the computer. Motion to accept August's minutes by Mr. Greg Vurckio seconded by Mr. Joseph Sibiga. All in favor. The Board signed August's minutes.

A lengthy discussion followed on Minutes including: New York State's law regarding time limit for draft Minutes being made available to the public, the way Minutes are written, and Minutes being submitted to the Chair and other Board Members to review, comment on, and change prior to public availability.

The Board discussed and gave input on the new zoning law. *The Chairman will report the findings to the Zoning Advisory Committee and record it for the Planning Board reference in the future.*

The Board discussed letter submitted to the Town Board concerning a parcel located on Wildcat Mtn. Road. *The Town Board will act on the advice of the Planning Board.*

The Chair mentioned Mr. Kimball Parker's subdivision and lack of communication.

The Chairman thanked the Board members for coming to tonight's meeting. Motion to adjourn at 10:11 pm. by Mrs. Elaine Beck seconded by Mr. Joe Sibiga. All in favor.

Next meeting is scheduled for October 11, 2012 at 7:00 pm.

Respectfully submitted by,
Tammy Beck
Planning Board Secretary

Notes added by the Chairman in italics...