

Planning Board Meeting Minutes

October 3, 2022 at 7:00 PM, McAuslan Hall

Present: Nancy Weber, Chairwoman
Karen Davies-Buckley
Bonnie Loforte, Counselor
Gary Toth, Counselor
Allison Trudell, Counselor
Graham Seiter, Town Attorney
Ron Marsden, Code Enforcement Officer
Ned Waterbury, ZBA Chairman

Absent:

And 2 in the audience.

Chairman Weber opened the meeting with the Pledge of Allegiance at 7:00 pm.

A motion was made by Davies-Buckley and seconded by Trudell to approve the September 2022 regular meeting minutes. The motion was adopted by a vote of 5 ayes: Weber, Davies-Buckley, Loforte, Toth, and Trudell, and 0 nays.

Old Business

Rosato Event Center

Weber summarized the application timeline. The applicant said the new site plan is placed in the non-jurisdictional area so the DEC will send a letter saying it's okay to build because he is outside of the buffer zone for the wetland area. The applicant said multiple biologists surveyed soil samples, a surveyor with GPS came out to locate plants, it took one year for a DEC member to examine flags on the survey and do a full walk-through, and a site plan was recreated based on that information from the DEC. The applicant said also hired an outside biologist on his own. Weber said the documentation is extensive and noted the addition of an outdoor seating area and expanded parking area.

The applicant said the septic is behind the barn so that it is far away and not visible in the event that there is a problem, needs repair, or smells. The applicant said the wetland is on his neighbor's property, not his; he is over 1,000 feet from any wetlands. Weber asked about parking spots and asked how spots are marked on gravel. The applicant said bumpers (logs) can mark the spots; the ADA spaces have to be striped. Weber asked if the outdoor seating area is pavers. The applicant said the outdoor area is stone. The applicant said the engineer has to design according to code with the health department; the water system will be designed once he has the permit for it. Weber asked if the well is the one to be used. The applicant confirmed that it is and that American Auger will stack well pumps for his well that produces 8 gal/min; a storage tank system with chlorination has to be used, which have the capacity to service the events without use of the well during the events. The applicant explained the septic system including modes to monitor usage.

Weber asked about the inside of the building. The applicant said he did a draft overlay of this so they can see the location of the bathrooms; there is no kitchen any longer; a stub for grey water for food trucks exists outside; events will have trucks or caterers; power and water are also available for food trucks. Weber asked if the health department requires a sanitary area for food to be served. The applicant said restrooms and water have to be available; servers will bring food inside or patrons will go outside to order and bring it in; this releases the applicant from food liability. The applicant said he needs to provide restrooms and water. Weber said she needs acknowledgement from the health department that this is satisfactory. Weber asked Seiter to check on the application history. The applicant said the liability for the water and septic falls on the civil engineer. The applicant said he hopes to have approvals within the next two months. Toth said the contractor is vetted but he would like to see a layout of the party barn including emergency exits, doors, bathrooms, etc.

Trudell asked about outdoor lighting. The applicant said there is outdoor lighting on all four corners of the building plus light towers for parking. Toth said to ensure ingress and egress are noted and have signage. The applicant will update the drawing that Weber is reviewing. Seiter asked if the ZBA took lead agency on this. The Planning Board confirmed. Weber said the application was complete when the Planning Board received it but then covid started and septic became problematic with wetlands and the DEC. The applicant would like to use commercial restroom trailers but was told that he could not. Weber said the SEQR was sent to the DOH. The applicant said he received a list of approved contractors and he is using a contractor from the list. Weber said Superintendent Marsden approved the road to handle the traffic and then wetlands slowed down the project via the DEC.

Weber requested the response from the DEC, the sign-off from the DOH, updated interior design with lighting added and to show the reconfiguration of storage and dressing rooms, note windows, doors, and exits. The applicant said his goal is to have this completed in 2 years, not longer than 5 years. Weber said that once the permit is issued, he needs to begin building within one year. Loforte would like a copy of the packet that Toth and Weber have. Weber noted that it is not a requirement but asked if the emergency plan is still intact. The applicant said the fire lane is but he will not put a turnaround in the field. Weber said this application will be on the November agenda. The applicant said he will make updated packets for the board. Weber asked about fans. The applicant said a swamp cooler is a fan that cools the air but it is not an air conditioner; there will be multiple smaller overhead fans. Marsden confirmed that he inspects restrooms to ensure they are ADA compliant. Weber said the public hearing has been completed.

A motion was made by Toth and seconded by Loforte to table the Rosato application until the November 7th meeting. The motion was adopted by a vote of 5 ayes: Weber, Davies-Buckley, Loforte, Toth, and Trudell, and 0 nays.

Jones Subdivision

Weber said the public hearing is rescheduled for November 7th at 7:00pm at McAuslan Hall. Seiter said it will be published as such.

New Business

Shutt Exploratory Discussion

Weber introduced Mr. Shutt and invited him to discuss his wishes. Shutt explained how he came to buy the property, which contains about 700 wild-growing apple trees. Shutt said they considered opening up farm cider stand but decided to pursue building a couple off-grid cabins for eco-tourism to generate revenue for the property. He said some of the original cider apple farming trees from the late 1800s, early 1900s may be growing there. He has built a cabin based on his initial understanding of the zoning law but the ZBA's interpretation does not allow this.

Shutt said he would like to get an idea of how to place this building; there will be no plumbing or electricity hookups but, instead, a composting toilet and solar power. Shutt is not interested in subdividing and looking for a special permit use for a campground at this time. Weber said that Marsden is the one who will approve this plan or not; Marsden will be the one to make a determination according to the zoning law. Weber said the history of the apple trees may open doors for preservation funding. Weber said to work with Marsden, but that the shed will be an accessory use. Marsden said he issued a permit for a utility shed. Shutt felt that a few off-grid cabins (4-5) would be an asset to the area. Weber asked Marsden if the property is A-3; Marsden said one portion in the front is C-2. Marsden said he doesn't believe any is in R-2 but he will double-check. Weber urged him to discuss his property with the historical society. Loforte said that Mexico was well known as a large volume pectin producer with crab apples. Weber wished Shutt the best of luck. Toth said it's a goal of the economic advancement plan to have craft breweries and encouraged him to pursue working with Austin and Marsden. Loforte said she will reach out to plan a visit on behalf of the historical society. Shutt thanked the board and left the meeting.

Other Business

A motion was made by Loforte and seconded by Trudell to adjourn at 8:31 pm. The motion was adopted by a vote of 5 ayes: Weber, Davies-Buckley, Loforte, Toth and Trudell, and 0 nays.

Respectfully submitted,

Nicole Wild
Town Clerk