

Town of Erwin Planning Board Meeting
September 4, 2013
7 PM Erwin Town Hall

Present: Chairman Wayne Kennedy, Vice Chairman Joe Banach, John Gargano, Patricia Thiel, Ted Metarko, Doug Cole, James McCarthy

Absent: Doug Porter, Matt Maslyn

Guests: John Hellert, Tom Dobrydney, Karl Schwesinger, C. Matthew Dann, Rita McCarthy

Chairman Wayne Kennedy opened the Meeting at 7:00 PM

Planning Board members introduced themselves.

In accordance with the Planning Board's established procedure, the Board will hear all matters up until 9 PM. Any matters not initiated by that time will be held over to the next regular meeting. As in the usual practice, the Board's consultants have met with the applicants prior to this meeting and have gone over the applications to ensure that they are as complete as possible and to point out any errors or omissions that can delay approval.

MOTION TO APPROVE THE MINUTES AS AMENDED OF THE AUGUST 5, 2013 MEETING.

MOTION BY: TED METARKO
DISPOSITION: 6-0-1 (BANACH)

SECONDED BY: JOHN GARGANO

The application was represented by Tom Dobrydney, Karl Schwesinger, and C. Matthew Dann.

POINTS TO CONSIDER:

The applicant seeks to establish a 31 lot subdivision on a loop road extension of Woodcrest Drive.

The property is located in an R-12.5 Residential District.

Since the project will require extension of municipal water and sewer utilities, and subdivision of more than 5 residential lots of less than 2 acres, NYSDOH and NYSDEC are involved agencies under SEQR.

Applicant has submitted the long form EAF as requested, and DEC and DOH are listed as involved agencies.

Prior to Phase 1, applicant seeks to establish one, single family home on the south side of the proposed new road. Utilities for this single family home must connect to the municipal water/sewer utility extensions for the proposed road extension. Applicant acknowledges no Certificate of Occupancy will be issued until Phase 1 utilities are complete and applicant pays the fee to be included in the Upper Beartown Water District Extension.

The applicant asked how many Phase I lots may be developed before the water is connected to the Dannfield Drive watermain. Since any infrastructure that would support additional residential units was built and paid for by other developers, and the capacity thereby created is to serve existing lots, regardless of whether said lots are currently vacant, only the single family home on the south side of the proposed new road, i.e. the one unit already allocated to this acreage, may be built before the connection is made to the Dannfield Drive watermain.

The applicant believes DOH stated that there is existing water capacity based on a study of actual usage versus estimated usage, and such capacity was not predicated on vacant lots. The Town will verify with DOH what can be built prior to connection to the new system.

There will be an extension off the dedicated loop road to provide an emergency connection to Dannfield Drive. This extension will be built to Town of Erwin private road standards and will be protected by a crash gate at both the loop road and the Dannfield Drive intersections. The applicant proposes to build this connection in Phase 3.

Lots that can will drain to the back of the subdivision, not toward Woodcrest.

Applicant is proposing Lot 31 as a recreational area for the development. It was identified at the August Planning Board meeting that The topography of Lot 31 needs to be shown for the Planning Board to determine if the lot is suitable for recreation. Subsequently, The applicant's engineer indicated that the applicant would purchase and install playground equipment. . On August 26, 2013, the Town informed the applicant's engineer that the Town was not interested in owning/maintaining additional parkland to be located in the Woodcrest development. The engineer stated that the applicant may jockey some of the parcels around in that north western corner to transition Lot 31 into a buildable lot, and if so, the access drive would be worked into a ROW.

A new subdivision map is required for these changes including the attendant infrastructure changes, drainage calculations, and ROW language for the connection to Dannfield Drive. The EAF must be modified to reflect these changes.

A note has been added to the overall subdivision plat showing the distance of each lot to the Field and Stream. Language must be added to the plats for each individual lot regarding proximity to the Field and Stream Club.

The project is the Viewshed Overlay District, and must comply with those regulations as well as §130-92 Aesthetics Mitigation Strategy.

A note has been added to the plat to indicate that each lot must comply with the Viewshed requirements. The same note must be added to the plats for each individual lot and each deed will include a restriction for this requirement.

A detail on sheet C11 clearly demonstrates that the road and driveways meet the required slopes.

Revised stormwater calculations have been delivered to the Town's Engineer.

A draft deed restriction has been added to state that as a condition of approval by the Planning Board, that "on-lot stormwater must be directed away from adjacent properties."

The surveyor at Fagan Engineers is looking at the language for three deed restrictions, i.e. proximity to field and stream, viewshed requirements, and storm water management.

The Planning Board identified elements required for a final application:

- The Fire Chief signed off but since no hydrant locations were depicted on the drawings, the Fire Chief wants to be involved in the location and spacing of hydrants
- Revised drawings showing manholes moved out of the swale and not located in road pavement
- A revised subdivision map is required to show changes to Lot 31.
- The EAF must be modified to reflect changes to Lot 31.

The applicant will wait until all engineering comments are received before making revisions to the plans and will take another look at Lot 31.

The Town Engineer will review the utility plan with the Chief Wastewater/Water Operator and obtain his sign-off on the Utility Plan; and review road design with Highway Superintendent for his sign-off.

Issues raised in this review include:

- Changing the road in Phase 1 to eliminate the portion along the sides of Lot 3 and Lot 23.
- The water/sewer for Lot 1 should come directly off the extension of Woodcrest Drive and not via an easement along the sides of Lot 21/22 and the back of Lots 21/20.
- All driveway pipes should be at least 18"
- The drainage pipe feeding the west pond should be 2'
- No drainage from the south side of the extension of Woodcrest Drive can be directed down Woodland Way

The Planning Board declared the application to be incomplete.

Since notice of the Public Hearing had printed in the legal notices, the Planning Board Chairman opened the public hearing at 7:44 pm

No one from the public wishing to be heard, the Chairman continued the Public Hearing to the October meeting.

2. SITE PLAN AMENDMENT APPLICATION FROM SYRACUSE SAND AND GRAVEL, LLC TO ALLOW EXCAVATION BELOW THE WATER TABLE INCLUDING MINING AREA THAT HAD ALREADY BEEN RECLAIMED ON JONES ROAD. WITH PUBLIC HEARING.

The application was represented by John Hellert, consultant geologist.

POINTS TO CONSIDER:

The property is located in an R12.5 Residential District.

This is an existing mining operation. The site plan amendment seeks to allow the mining to occur in an already reclaimed mine area and to excavate 20± feet into the ground/water table, creating a pond. The site is outside the aquifer recharge area.

The applicant has stated that the new activity will not

- change parking, loading, staging areas
- include blasting
- endanger stability of existing structures, utilities, wetlands, water courses
- adversely affect environmental, historical or cultural resources
- cause dust, airborne particles, vibrations, odors or glare
- noise will not interfere with quiet enjoyment

The applicant states that the maximum hours of operation would be sunup to sundown, or 7 am – 6 pm whichever is longer, Monday through Saturday. There would be no work scheduled for Sunday or holidays unless as a mandated project by NYSDOT or in the event of a public emergency.

The estimated number of trucks per day is 10 trucks, ten trips each per day.

In order to comply with the Orderly Maintenance and Protection of Town Roads, the applicant has offered in-kind service together with the adjacent gravel mine operator for the paving of Jones Road. The Town finds that the proposal has merit. The details must be worked out between the two mine operators and the Town.

At reclamation, the area will be dry; there will not be a pond.

On November 7, 2012 the NYSDEC issued a Flood Control Permit, modified Mining Permit and SPDES Permit. There are no other Involved Agencies.

The Planning Board declared the application to be complete.

The Planning Board reviewed the short EAF.

RESOLUTION TO CLASSIFY THIS AS AN UNLISTED ACTION SINCE IT IS A NON-RESIDENTIAL DEVELOPMENT OF LESS THAN 10 ACRES, TO DECLARE THE PLANNING BOARD LEAD AGENCY, AND TO MAKE A NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE.

**MOTION BY: JOE BANACH
DISPOSITION: 7-0**

SECONDED BY: JAMES MC CARTHY

The Chairman opened the public hearing at 8:02 PM.

No one from the public wishing to be heard, the Chairman closed the public hearing at 8:03 PM.

UPON HEARING NO APPLICABLE ADVERSE COMMENT FROM THE PUBLIC, THE PLANNING BOARD APPROVES THE SITE PLAN AMENDMENT CONTINGENT UPON ACCEPTANCE OF THE PLAN FOR THE MAINTENANCE AND PROTECTION OF TOWN ROADS BY THE TOWN HIGHWAY SUPERINTENDENT.

**MOTION BY: TED METARKO
DISPOSITION: 7-0**

SECONDED BY: JOHN GARGANO

RESOLUTION TO ADJOURN THE MEETING AT 8:05 PM.

**MOTION BY: PATRICIA THIEL
DISPOSITION: 7-0**

SECONDED BY: JOHN GARGANO

Submitted by:

Rita Y. McCarthy
Acting Planning Board Secretary