

LIVINGSTON PLANNING BOARD

August 03 2016

Draft minutes

The regular monthly meeting of the Livingston Planning Board was held August 03 2016 and opened at 7:00 p.m. In attendance were Chairman Philip Schmidt, James McFarland, Bernie Stickles, John Ross, Chip Keil, Robert Bellinger, Sal Cusumano and Stephen Thibeault.

Engineer Brandy Nelson

Attorney Theodore Hilscher

Absent:

Engineer Jay Trapp

A motion to accept the minutes of the July 06, 2016 meeting was made by Chip Keil and 2nd by John Ross.

All present voted AYE.

Correspondence: NONE.

Mr. Amrod had to leave for a family matter and requested to be scheduled for the September meeting. The Board discussed Attorney and Engineer conditions not yet met and still needed is the Pump out records and draft conditions. A parking plan has not been submitted. A letter was sent regarding needed escrow and conditions. Spedes permit has been granted according to applicant. Applicant to be scheduled for September meeting.

Red Wing a Site Plan and Special Use Permit to mine at Route 19 in Zoning District LDR2. Property consists of 196 acres. Our zoning law allows only 14 acres to be mined.

Red Wing President Frank Doherty Jr. gave an overview of the project.

1. The material will be processed at the Ro Jan Plant not on site.
2. 3-4 trucks a day doing 10 + trips a day.
3. No sales at the site.
4. A water truck will bring in the needed water from Ro Jan to cut down on dust.
5. Driveway will be blacktopped.
6. The preferred route is Cty Rt. 19 with empty trucks to use Pleasantvale-Hapeman roads.
7. No jake brakes.
8. 30 mph will be self- imposed.
9. Performance bond for the town roads will be provided.
10. Hours of operation will be 7:15 to 4 and closed Saturday and Sunday.

Notifications sent to neighbors were submitted. All appeared to be in order.

The public hearing continued 7:08.

Attorney Hilscher spoke:

1. Mines are allowed in LDR2 with a Special Use Permit
2. 14.43 already approved and not rezoned.
3. Special Use is permitted with overview by the Planning Board guided by the Livingston Zoning Laws.

The following public comments:

1. Marty Hoffman 357 Pleasantvale Road. Read a letter and submitted pictures of Hapeman Road and an article from the Times Union (7/13/16) regarding Nassau denying a mine permit.
 - a. Planning board may approve the Special Use permit if not detrimental to the community.
 - b. He opposes the 124 truck trips each day. Hapeman Road has 3 dangerous curves and is concerned about the school buses and trucks sharing the road.
 - c. Process on site would mean less traffic and allow it to go north. Letter on file.
2. Joseph Sweeney 11 Shore Drive. Twin Lakes Improvement Association (70 Members) has spoken with Mr. Doherty several times and appreciated the communication.
3. Claire Des Becker submitted a letter also signed by Ray Recht, Vito Lucente and Justine Sonquet – Lucente.
 - a. Concerned about damage to roads and older homes built closer to the roads. Property values will be diminished. Traffic impacts on children and the elderly.
 - b. The end of peace and quiet.
4. Diane Schaeffer 643 CR 2
 - a. Wants clarification of times open and operating.
 - b. Concerned about children waiting for school buses.
5. Guy and Brenda Magorelli 694 County 2
 - a. His house was built in 1790 now has cracks in ceiling and dirt sifts through his stone foundation. Concerned trucks will cause more problems
 - b. Does not want trucks past his house.
6. Jane O'Shaughnessy 357 Pleasantvale Road.
 - a. Wants no Special Permit be granted at all.
 - b. Red Wing doing his own traffic study is a conflict.
 - c. If granted no Saturday operation. Recreational traffic is high.
7. Charles Robinson 655 CR 2 & 19.
 - a. Red Wing is a private Corporation for profit and does not share in profit. Any fees need to stay in Elizaville. Mine brings no benefit to Town and residents.
 - b. When will Red Wing trail in upper Red Hook be open to the public?
 - c. A bond should be held for damages to town roads and bridges.

- d. Concerned about dust and the number of trips the trucks take every day.
8. Grace Mc Kinney 1021 CR. 19
 - a. Came here for peace and quiet.
 - b. Who will enforce conditions?
 - c. Who will shut them down?
 9. Kim Shea 1370 Hapeman Road.
 - a. Supports the application. I am a lifetime residence and we should be trying to work with everybody,
 - b. Traffic has always been horrible.
 - c. Option is a mine for 3 years or a large housing development with 70 drilled wells. Housing development is here for a lifetime,
 - d. A lot of local people are employed by Red Wing.
 10. Patricia Cassidy 12 – 14 Betty Road.
 - a. Wants monitoring on an ongoing basis.
 - b. Wants property taxes lowered due to decreased values.
 - c. Cannot sell and get full value of the property.
 - d. Concerned about aquifer impacts.
 11. Allison Paalz 80 Shore Drive.
 - a. What are the plans after mining is done?
 - b. Mr. Doherty replied he will not remove top soil from property. The elevation will be lowered and then reapplication of top soil and plant grass and trees.
 12. Matt Flynn 38 North Shore Drive.
 - a. There are wet lands on the property.
 - b. Concerned about endangered species.
 - c. DEC review?
 13. George Osborne 692 Cty Rt.2 b/w Church and CR 19
 - a. Was not aware of this application. Should have sent a letter to all town residences.
 - b. Does not think approval by Planning Board will stand the legal scrutiny.
 - c. Wants a survey of all who approve.
 - d. Believes a negative opinion of this application is significant in a community.
 - e. Planning Board should be considering all information.
 14. Ray Recht 18 Shore Drive
 - a. Wants emergency services impacts assessed as part of the approval.
 15. Joe Sweeney.
 - a. Spoke with DEC and states DEC needs the Town's decision before their decision.
 - b. DEC will have a comment period from the public.
 - c. Law enforcement will be by DEC and will include conditions from the Town.
 - d. Public can call DEC as they will issue the fines.
 16. Leslie Chernelli 117 Cr 19

- a. It is a foregone conclusion that mining is allowed.
 - b. Is a mobile home park allowed?
17. George Weilder 1021 CR 19.
- a. Mine should not allowed to operate until all children are picked up and closed before school lets out.
 - b. Due to summer activities no operation between Memorial Day and Labor Day.
 - c. Has this been discussed with other adjoining towns? Dutchess and Red Hook.
 - d. Does not want the North Route.
18. Jerry Couse 447 Pleasantvale Road
- a. Travel on Pleasantvale Road and Hapeman Road is not recommended as there are difficult turns and intersections.
 - b. Shoulders are not existing.

Written letters received from:

- 1. Francis and Lori Korzekwinski 2706 Rowehl Drive East Meadow NY. They have a home on North Shore Drive. Against it.
- 2. Matt Flynn 38 North Shore Drive. Against it.
- 3. Stan Allen 69 Hapeman Road. Against it.
- 4. Jim Kennedy CR 19. Against it.
- 5. Krista Weaver 10 Henry Street. Against it.
- 6. Vincent Frankini CR 19. Against it.

Public hearing adjourned at 7:55. To be continued at the September 07 meeting at 7:02. All letters and correspondence on file.

Mr. Doherty will be required to submit the following at the next meeting:

- 1. Traffic studies on all possible routes-town roads, Route 19 north, Route 19 south.
- 2. Archeological sites of importance (see #12 on SEQRA Part1).
- 3. Wetlands or water bodies of importance (see #13 on SEQRA Part 1).
- 4. Occurrence of pesticides on-site and any impact to water and air quality due to disturbances of pesticides.

Andrew and Judy Wortzel 251 Wire Road Livingston an application for a Special Permit for a pool house greater than 1,499 feet. An Accessory Building two stories high, 30 x 40 in LDR-2.

A public hearing will be held September 07 2016 at 7:02. To be advertised.

Elwood and Mary Funk a lot line adjustment for a shared lot line between two adjacent parcels. Both parcels owned by the applicant. Property located 2330 Route 9.

The Board reviewed the map it was stamped by the Chairman. Applicant to record this at Columbia County.

There being no further business before the Board a motion to adjourn was made by Robert Bellinger 2nd by James McFarland. All present voted AYE. Motion passed.

Next scheduled regular meeting will be held September 07 2016. Meeting closed at 8:20 p.m.

Respectfully submitted,

Eileen Yandik
Secretary Livingston Planning Board