

March 02 2022

The regular meeting of the Livingston Planning Board was held March 02, 2022 and opened at 7:00.

In attendance were Chairman Phil Schmidt, Martin Nayowith, Bernie Stickles, Robert Bellinger, Brian Molinski and John Ross.

Absent:

Stephen Thibault

Chip Keil

Engineer Michelle Mormile.

Correspondence: NONE.

A motion to accept the minutes of the February 02, 2022 minutes was made by Martin Nayowith and 2nd by Bernie Stickles. All voted AYE. Motion passed unanimously.

7:02 the Public hearing for Richard W. Sardo representing Charles Bily and Richard Bily a Subdivision application to subdivide 2 acres from 14 acres. Property (152.00-1-16) located on the East side of Old Route 82 and Ten Broeck. Opened.

No comments from the public or written correspondence were received. Hearing closed at 7:03. Fee paid.

The Board reviewed the application and deemed it complete.

Attorney Ted Hilscher completed the Short Form EAF.

A motion to approve the EAF with negative declaration was made by Bernie Stickles and 2nd John Ross by All voted AYE. Motion passed unanimously.

A motion to approve the Charles Bily and Richard Bily subdivision as presented was made by Robert Bellinger 2nd by John Ross. All present voted AYE. Motion passed unanimously.

Ann Litke a special Use permit to replace a single wide to a double wide mobile home has been forwarded to the ZBA.

Representatives for a solar farm proposal for 2279 US Route 9 appeared. No application has been received. Discussion took place. No action was taken by the Planning Board.

Suarez Family Brewery (Owners Nook Finders LLC.) Submitted an amended site plan to be able to have additional outdoor patio seating.

The Board reviewed the proposed changes.

Attorney Ted Hilscher completed the Short Form EAF.

A motion to approve the EAF with negative declaration was made by Robert Bellinger and 2nd Bernie Stickles by All voted AYE. Motion passed unanimously.

A motion to approve the Suarez Family Brewery amended site plan as presented was made by John Ross 2nd by Martin Nayowith. All present voted AYE. Motion passed unanimously. Sunfair Farms Tigertail 2014 returned with new paperwork. Property located 210 Cold Springs Road for the Board to review.

Andy Didio of Taconic Engineering made presentation:

1. Intent is to consolidate two parcels into one parcel.
2. We want a guest house to accommodate kitchen range so we need a special use permit for an accessory apartment.
3. Conference/Studio will be appurtenant use to motel.
4. Driveway to be widened to 22 feet.
5. Spa/Yoga buildings will be appurtenant to the motel.

6. Hold weddings in a barn, which already has a commercial kitchen.
For weddings, anticipated 150 guests – there are 70 parking spaces to cover motel guests, wedding guests and employees.

We reached out to the fire chief – he didn't respond.

The chief: I was told the site plan was not the final version and therefore I shouldn't respond.

Andy: I want clarification on this. We were accused wrongfully of violations. We told our clients not to hold the November 12 event and it was cancelled. The current building inspector is welcome to come to our site.

Ted: Did your client hold a BBQ and picnic on September 4?

Andy: I don't know.

Ted: Who would know?

Martin Nayowith: My neighbor went ... he said the food was delicious.

Ted: The communication from your office could have been better. I wrote you a letter on November 1. You got back to me yesterday. We wanted Sam to have permission to make a site visit and nobody got back to us. Sam sat at the end of the road and counted cars on November 12.

Andy: We gave Sam permission for a site visit. I will send you emails.

Ted: This is important because of Section 6.6(13). No special permit shall be issued by the Planning Board for a property which the Planning Board finds not in compliance with the Zoning Law.

Andy: If a mistake was made in the past, and there are no future violations, that shouldn't hold us up.

Bernie Stickles: What is the timeline for project?

Andy: We want to get the farm underway, then we need to get the motel underway. There needs to be DOH inspections for use of the kitchen in the barn.

Motel wouldn't get built until 2024.

Brian Molinski: What are you growing now?

Andy: That's a good question. I will have to ask the owner. I know they are growing vegetables and flowers. The farm stand sells eggs.

Ted: The applicant is proposing three uses: a farm, motel and commercial event venue. Is that right?

Andy: Yes. Three distinct uses.

Ted: Under 3.1(1)(a) there shall be not more than one principle building on one lot, except for agricultural operations, multi-family dwellings, community facilities, and public utilities, and except as specifically permitted elsewhere in the law. Applicant will need to subdivide so that motel is on one parcel and commercial event venue is on a second parcel. Commercial event venue must be at 500 feet setback from any parcel boundary.

My recommendation would be to have a traffic study to fulfill environmental review.

Phil Schmidt: We will decide whether we want a traffic study and let you know.

Applicant to return to the April meeting.

A motion to close the meeting was made by Robert Bellinger and 2nd by Martin Nayowith. All present voted AYE. Motion passed unanimously.

Next scheduled meeting will be held April 06, 2022 Meeting closed at 8:02

Respectfully submitted,
Eileen Yandik
Secretary Livingston Planning Board.