

LIVINGSTON PLANNING BOARD

July 10, 2024

The regular meeting of the Livingston Planning Board was held 10 Jul 2024 and opened at 7:00pm with the Pledge of Allegiance.

In attendance:

Robert Bellinger (Planning Board Chair)
Rebecca Harclerod (Deputy Planning Board Chair)
John Ross
Chip Keil
Stephen Thibeault
Craig Dombrowski
George Weidler (Planning Board Alternate)
Jeremy Steuhl (Planning Board Secretary)
Andrew Howard (Planning Board Attorney)

Absent:

Brian Molinski
Michelle Mormile (Town Engineer)

Participants:

- Robert Mangold
 - David Birch
 - Mitchell Harman
 - William Better
 - David Fleischner
 - Robert Ihblenburg
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Correspondence:

- Email regarding postponement to 07 Aug 2024 meeting from PB-71 - Special Use Permit (Kayla Shea)
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Minutes:

Meeting started with the Pledge of Allegiance at 7:00pm. Roll call at 7:01pm.

Robert Bellinger asked if everyone had read through last month's meeting minutes. Motion to accept minutes from 05 Jun 2024 was made by Craig Dombrowski , 2nd by Rebecca Harcleroad. All in favor, motion approved.

Discussed correspondence.

Public Hearing:

PB-84 - Site Plan Approval (Global Montello)

A site plan application to add an outdoor freezer/cooler at Alltown Fresh 5385 RT 9H & 23, 140.-1-16.3.

- Motion to open public hearing for application PB-38 was made by John Ross, 2nd by Rebecca Harcleroad. All in favor. Motion approved.
- Public hearing opened at 7:02pm.
- Rob Mangold presented to the board with the the plan to add a freezer to their existing building.
- Add to an existing concrete pad, 12'x12' approximately, under the existing patio on the Route 9H side.
- Robert Bellinger asked if there are any questions. No questions from the board.
- No comment from the public.
- Motion to close the public hearing by George Weidler, 2nd by Chip Keil.P
- All in favor, motion approved.
- Public hearing closed at 7:03pm.
- Attorney Howard read through SEAF part 2. All answers are no or small impact. Motion to accept negative declaration made by Craig Dombrowski, 2nd by Stephen Thibeault. All in favor, motion approved.

[PB-84 SEAF Part 2](#)

- Attorney Howard provided resolution to the board.

[PB-84 Global Montello Resolution](#)

- Motion to accept the resolution by John Ross, 2nd by Stephen Thibeault.

Vote as follows:	
Robert Bellinger	Aye
Rebecca Harcleroad	Aye
Brian Molinski	Absent
Stephen Thibeault	Aye
John Ross	Aye
Chip Keil	Aye
Craig Dombrowski	Aye
George Weidler	N/A

- All in favor. Motion approved.

Old Business:

PB-28 - Subdivision (David Birch GCARD LLC)

Mr Birch returned to provided updates to his subdivision application to create 3 parcels at Rt 9 and Orchard Road 151-1-4.4.

- One lot on Rt 9 and 2 lots on Orchard Road, whereas previously it was to have 2 lots on Rt 9 and 1 on Orchard Rd, due to DOT not providing approval for a second entrance on Rt 9.
- Mr. Birch said the pins have been set and the map has been updated.
- Robert Bellinger asked if the board had any questions. No questions from the board.
- Motion to deem application substantially complete and set public hearing for 07 Aug 2024 by Stephen Thibeault, 2nd by Rebecca Harcleroad.
- All in favor. Motion approved.
- Public hearing will be scheduled for 07 Aug 2024.
- Applicant will notify abutting neighbors and provide copy of receipts to the board.

New Business:

PB-87 - Site Plan Approval (SunCommon/Michell Warman)

A site plan application for single family residential solar system at 68 Marlin Hill Road Germantown NY 12526 150.-1-48.

- Mitch Warman explained the project to the board. Plan is to install a ground mounted solar array.
 - The array will be in the back of the house to the side, closer to the pool.
 - This is a stationary unit, not a trackable array.
 - Question from Chip Keil asked where Marlin Hill road is. The board explained where it was off of Cty Rte 10.
 - Motion to deem application substantially complete and set public hearing for 07 Aug 2024 by Craig Dombrowski, 2nd by George Weidler.
 - All in favor. Motion approved.
 - Public hearing will be scheduled for 07 Aug 2024.
 - Applicant will notify abutting neighbors and provide copy of receipts to the board.
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PB-89 - Lot Line Adjustment (Hudson Park LLC)

A lot line adjustment application at 3521 US Route 9 Hudson, NY 12534 for reduction in acreage of 1.27 acres on lot 140.-1-6.3.

- Bill Better representing the owner, Burke St. John. Applicant pointed out on the map where the adjustments would be made.
- A SPDES septic system was installed to accommodate for several hundred kids at one time when it was planned to be a baseball camp. Habitat for Humanity, the proposed buyer, does not plan to use that and does not want to buy it, so the lot line adjustment is required to sell the property.
- Not creating a new lot, just adding the square where the septic system is and adding it to the larger lot. No other lots are changing.
- Pins are not shown on the map. Fred Haley did the survey and will provide a pinning letter.
- Applicant has asked for a conditional approval, until the pins are set.
- Craig Dombrowski asked about sewer. Bill said that lot did have its own septic in the past and does currently have a well. Craig Dombrowski believes the front building is currently tied into the SPDES septic system.
- The future owner would have to come to the town later on in the future to make sure any new septic system and site plan review is acceptable.
- Acreage on the modified lot will be 8.24 acres.
- The lot line adjustment is in Livingston, not in Greenport. Andrew Howard stated for purposes of this, Greenport does not have to be notified on this.
- Andrew Howard went through SEAF part 2.

- All answers are no or small impact. Motion to accept negative declaration made by George Weidler, 2nd by Stephen Thibeault. All in favor, motion approved.

PB-89 SEAF Part 2

- Motion to approve lot lined adjustment based on condition of pins and updated map was made by George Weidler 2nd by Rebecca Harcleroad.
 - All in favor. Motion approved.
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PB-93 - Subdivision (Camp Scatico Inc., David Fleischner)

Minor subdivision application to create 2 parcels at Camp Scatico, 1558 County Route 19, Elizaville, NY 12523 104600 201.-1-20.1.

- David Fleischner presented his application. His property is on both sides of Cty Rte 19. On north end of his property there's 88 acres that aren't being used and wishes to subdivide off from the camp on the other side of Cty Rte 19.
 - Want to take the property and put in 2 sites, 1 for the camp and then the 1 for the wooded acreage. No plans to do any building on the new lot at this time.
 - Robert Bellinger asked if any work was done on the site. No work has been done. There is a container there where they store their inflatables there for the winter.
 - George Weidler stated that there's been a lot of trucks going in and out of there. David said that was someone who uses the property, but nothing is going on there by the camp. Sometimes their friend stores stuff there.
 - There is no dock on the north lake owned by the applicant.
 - No plans right now for the new parcel. If anything in the future, then they would come back to the board in the future. Might pursue selling.
 - The camp will stay the same at 170 acres.
 - Robert Bellinger asked if it's been pinned. Spence Hall did the survey and there's pins already there and no new pins will be added as Cty Rte 19 will be the new boundary. No other boundary is changing.
 - George Weidler asked if we had to notify Gallatin. Andrew Howard stated we can write to Gallatin and let them know, but since there's no new lot and configuration is not changing, it will not be a problem.
 - Motion to deem application substantially complete and set public hearing for 07 Aug 2024 by George Weidler, 2nd by John Ross.
 - All in favor. Motion approved.
 - Public hearing will be scheduled for 07 Aug 2024.
 - Applicant will notify abutting neighbors and provide copy of the receipts to the board. Jeremy will send a template to the applicant.
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PB-95 - Subdivision (Robert Ihlenburg/D'Addona)

Minor subdivision application to create 2 parcels at Church Road Hudson, NY 12534 161.-2-28.1.

- Robert Ihlenburg presented his clients application and provided maps to the board. The family wishes to subdivide and existing house and garage with 3 acres from the 31 acre lot, leave about a 28 acre lot.
- Andrew Howard asked to provide documentation on who the trustee is and confirm it's acceptable by the trust to subdivide.
- Robert Bellinger asked if there should be a driveway on the new proposed lot. Robert Ihlenburg said he would contact the highway supervisor and provide for next meeting and updates on the map to reflect proposed location.
- Motion to deem application substantially complete and set public hearing for 07 Aug 2024, based on conditions that the map is updated with a proposed driveway and a copy of the trust agreement is provided, by Craig Dombrowski, 2nd by Stephen Thibeault.
- All in favor. Motion approved.
- Public hearing will be scheduled for 07 Aug 2024.
- Applicant will notify abutting neighbors and provide copy of the receipts to the board.

PB-97 - Subdivision (Robert Ihlenburg/Thomas Murphy)

Minor subdivision application to create 2 parcels at 3461 State Rt. 9 Hudson, NY 12534 140.00-1-17.2.

- Robert Ihlenburg presented his clients application and provided maps for the Thomas Murphy subdivision application.
- 10+ acres total, with new parcels for around 5+/- each and have a common road on lot A, to be shared among the two lots.
- Applicant stated a road maintenance agreement was provided to the CEO and will be given to the planning board.
- Questions about road frontage. Old Rt 9 was given to Alvarez mobile home park. There's only 50' access to Rt 9 that was approved by the town in 2017, which is planned to be used.
- Question about whether that 50' can be used for lot A, or if lot A will need it's own 50' access. It does say in the code has to be 50'. Andrew Howard then reviewed the code for private roads, section 4.41.2 and up to 4 lots can share access to a private road.
- Andrew Howard stated we should have the engineer sign off on the private road design.
- Escrow will be needed. Escrow set at \$1500.
- Robert Ihlenburg will update map to say to be discontinued on second roadway.

- Application is not considered complete. Application will provide a check for escrow and return to next meeting with updates.
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Discussion:

- Robert Ihlenburg provided some updates on the black bridge lot line adjustment project (PB-59 - Lot Line Adjustment (Robert Ihlenburg)). They have pinned the property. There were 2 lots that did not have road access. They've applied to the power company for crossing rights. That will take approximately 30-60 days. He asked about coming back with an updated map to the board in August. Robert will provide updates to the board secretary.
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There being no further business, a motion to adjourn was made by Chip Keil, 2nd by Craig Dombrowski. All present voted AYE. Motion passed.

Next scheduled meeting will be held 07 Aug 2024.

Meeting closed at 8:08pm.

Respectfully submitted,

Jeremy Steuhl
Secretary Livingston Planning Board