

# LIVINGSTON PLANNING BOARD

November 06, 2024

The regular meeting of the Livingston Planning Board was held 06 Nov 2024 and opened at 7:00pm with the Pledge of Allegiance.

## In attendance:

Robert Bellinger (Planning Board Chair)  
Rebecca Harcleroad (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)  
Michelle Mormile (Town Engineer)

## Absent:

Brian Molinski

## Participants:

- Kayla Shea
- Ross Brown
- Marcia Kelly
- Patricia Hinkein
- Chris Laporta
- Fire Chief Paul Jahns
- Phil Massaro

## Correspondence

- Letter (2 actually) received from Joseph Bove in regards to favorability for REQ-244 - Special Use Permit (Caris Memory Care ).

- Letter received from Columbia County Department of Health regarding onsite waste water treatment, related to application for 182.00-1-18.21 PB-12 - Subdivision (Robert Ihlenburg, PLS (Black Bridge LLC)).
  - Letter and voice mail received from Ronald Rhynders in support of 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.

Motion to accept minutes from 02 Oct 2024 was made by Craig Dombrowski, 2nd by Stephen Thibeault. All in favor. Motion approved.

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### Discussed correspondence.

- Related to PB-12 and the letter from CCDOH regarding the perk test results indicating the need for raised bed system, Robert Bellinger commented maybe for future subdivisions, we might want to have CCDOH approval prior. Scanned copy attached to the application and original put in the file.
  - Copy of letter from Joseph Bove in support of the special use permit for Caris Memory Care was shared with the board. Scanned copy attached to the application and original put in the file.
  - Copy of the letter from Ronald Rhynders in favor of PB-71 was shared with the board. Scanned copy attached to the application and original put in the file.
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### PB-71 - Special Use Permit (Kayla Shea)

A Special Use Permit application to open farm store out of the existing building and also serve ice cream at 1370 County Route 19, Elizaville 192.-1-44.

- Motion to open the public hearing for application PB-71 was made by Stephen Thibeault, 2nd by John Ross. All in favor. Motion approved.
- Public hearing opened at 7:05pm.
- Kaylas Shea presented her Special Use Permit application to open farm store out of the existing building and also serve ice cream at 1370 County Route 19, Elizaville 192.-1-44.
- Kayla provided mail receipts and a drawing showing the water line. She explained to the public her intentions of selling farm raised meats and having the ice cream stand.
- Robert Bellinger asked if there was any comment from the public.

- Someone asked if the ice cream would be home made. Answer at this point is no.
- Kayla commented that she received the letter from the Town Engineer last Thursday and she will follow up on that. She received it last Thursday and at this time does not have a report from an engineer.
- Nick Zapp said he's a family friend and attorney helping her out. He asked if the special use permit is submitted properly. Asked if they are not able to get the updated survey done by next meeting if they could hold off on the vote.
- Attorney Howard commented that the project was sent to county planning and that it was returned to the town as a local decision.
- Michelle Mormile asked if the engineer who is reviewing the septic system, can confirm that the water line meets the proper setbacks.
- Robert Bellinger asked if there is hot water? Kayla said yes in the building there will be a hot water heater. Asked if the water line is still functioning. Yes, it is still being used since the previous use closed.
- Motion to adjourn public hearing to next month was made by Chip Keil, 2nd by Rebecca Harclerod. All in favor, motion approved.
- Public hearing adjourned at 7:10pm.
- Public hearing will resume on 04 Dec 2024.

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#### PB-113 - Site Plan Approval (Ross Brown)

A site plan application to build a 1200 sq. ft. addition to existing building to lay out cabinetry as built and store until delivered at 1091 County Route 10 Hudson, NY 12534 160.-1-62.

- Motion to open the public hearing for application PB-113 was made by Craig Dombrowski, 2nd by George Weidler. All in favor. Motion approved.
- Public hearing opened at 7:11pm.
- Ross Brown presented his site plan application to build a 1200 sq. ft. addition to existing building to lay out cabinetry as built and store until delivered at 1091 County Route 10 Hudson, NY 12534 160.-1-62.
- Ross provided the mail receipts.
- Ross addressed the public about his project and what he plans to do. Ross pointed out on the map his existing shop and where the addition would go.
- Robert Bellinger asked if any questions from the public. No questions from the public.
- Chip Keil commented on Ross' work. Stated it is top of the line work.
- Craig Dombrowski asked if neighbors were notified. Yes and receipts were provided.
- Attorney Howard said we sent to county planning and they sent back as a local decision.
- Motion to close public hearing by Rebecca Harclerod, 2nd by Stephen Thibeault. All in favor, motion approved.
- Public hearing closed at 7:14pm.
- Attorney Howard read through the SEAF part 2.
- All answers are No or Small Impact.

- Motion to accept negative declaration made by Stephen Thibeault, 2nd by Craig Dombrowski. All in favor, motion approved.

#### [PB-113 SEAF Part 2](#)

- Attorney Howard provided resolution to the board.

#### [PB-113 Resolution](#)

- George Weidler commented that there's one correction needed as it shows the old planning board chair name.
- Motion to accept the corrected resolution was made by Stephen Thibeault, 2nd by Craig Dombrowski.
- All in favor, motion approved.

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#### PB-121 - Lot Line Adjustment (James E and Marcia Kelly)

A Lot line adjustment application to enlarge tax lot #160.00-01-14.4, at 1041 Blue Hill Road, to 7.596 acres, by transferring 5.574 acres from tax lot #160.00-01-14.3, at 1055 Blue Hill Road , to result in new lot size of 58.86 acres.

- Marcia Kelly presented her Lot line adjustment application to enlarge tax lot #160.00-01-14.4, at 1041 Blue Hill Road, to 7.596 acres, by transferring 5.574 acres from tax lot #160.00-01-14.3, at 1055 Blue Hill Road , to result in new lot size of 58.86 acres.
- Would like to increase the size of the lot that her son has built a house on, which adjoins her property.
- They want one parcel that results in ~7.5 acres and remaining lot will be ~59 acres.
- Robert Bellinger asked if the property was south of CR-10. Yes, it's Stoner's old house.
- Robert Bellinger asked if the board has any other questions. No additional questions.
- Attorney Howard read through the SEAF part 2.
- All answers are No or Small Impact.
- Motion to accept negative declaration made by Stephen Thibeault, 2nd by Rebecca Harclerod. All in favor, motion approved.

#### [PB-121 SEAF Part 2](#)

- Motion to accept the lot line adjustment as submitted was made by Chip Keil, 2nd by Craig Dombrowski.
  - All in favor, motion approved.
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## PB-123 - Special Use Permit (Red Kill LLC)

A Special Use Permit application to utilize an existing office space for residential purposes with no resulting change in the footprint of the building at 39 Lasher Drive, Livingston 171.-1-54.2.

- Patricia Hinkein presented her Special Use Permit application to utilize an existing office space for residential purposes with no resulting change in the footprint of the building at 39 Lasher Drive, Livingston 171.-1-54.2.
- Patricia is representing her client, Red Kill LLC, who has a property off of CR-19, just past the Livingston Trailer park. Just south of it, there's a road that goes back to 4-5 parcels called Lasher Drive.
- At very end there's 2 building on 4.7 acres in which both have a duplex apartment. The one has an office in it.
- Each building has its own septic and they've been investigated. 1,250 gallon tanks. One well serves both units.
- Would like to turn the office into an apartment.
- Robert Bellinger drove down the road. Concern about getting emergency vehicles in/out of there. There is no turn around (cul-de-sac) at the end.
- Asked how many parcels. Patricia believes there's a total of 5. Robert Bellinger states that the road should be considered a private road. Robert Bellinger asked if there's a road maintenance agreement in? Patricia does not believe there is.
- Robert Bellinger thinks the road should be upgraded as it is very narrow road and needs repair.
- Attorney Howard asked if Red Kill owns the land? Patricia said they don't own the road and is not sure who does.
- Patricia commented that she doesn't think there's a road maintenance agreement. She also knows those who live on that road that are not in a position to invest money for upgrades to the road.
- Patricia has been to real property and it seems no one owns the road. It must have been left out in the subdivision or maybe an old abandoned road from the town? Robert Bellinger said we could ask the highway department about whether it was old town road.
- Robert Bellinger asked if the board had any questions. Chip Keil asked where the road is and Robert Bellinger explained. Stephen Thibeault commented it's very hard to see the road.
- Patricia said there's no direct access from Lasher Dr to the trailer park. It does back up to the trailer park.
- Chief Paul Jahns commented that there was a fire at one point, in which they had time getting back there. Said CEO did not force the property owners to upgrade the road. Chief Paul Jahns said that a cul-de-sac should be put in. The road isn't wide enough to get a big truck back there.
- Robert Bellinger wants the road addressed before a public hearing would be set. Patricia said she went to real property in the past and there is no clear owner found. Robert Bellinger directed Patricia to the town zoning book to find the specs on private roads.

- Attorney Howard looked at GIS to identify the number of properties for this location.
- Michelle Mormile asked if a site plan would be needed, with number of parking spaces, if the road has to be brought up to code and turnarounds etc. Attorney Howard agreed, that a site plan would be needed once she finds out more about the road.
- Robert Bellinger asked about size of septic tanks. They're 1,250 gallon each. Depending on the number of bedrooms, they might need to be 1,500 gallons. Michell Mormile looked at the application and noted Baldwin provided an inspection, but just for the tanks, not the whole system.
- Patricia said that the intent is to only have 4 bedrooms in the apartment. Robert Bellinger asked if washer/dryer was in each apartment. Patricia said no, there's a common area for coin operated washer/dryer.
- Robert Bellinger would like more information on the road and then get inspection by engineer on the full septic system.
- Stephen Thibeault asked how old the houses are? Patricia believes they were built 2010, but is not entirely sure.
- Patricia will do her research and plan to return in December to present her findings.

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REQ-244 - Special Use Permit (Caris Memory Care ) & REQ-245 - Site Plan Approval (Caris Development Group, LLC)

Workshop with Caris Memory Care to discuss a Special Use Permit for a 12,500 sqft memory care facility and 2,500 sqft office space on Orchard Road, just off of US-9 140.-1-44.1.

- Attorney Howard recused himself as he has done business with Caris previously.
- Chris Han, team leader representing Caris Memory Care, presented his project. They are based out of Kingston. They plan to see this project through to the end. The business focus is to not build and sell.
- Chris summarized what memory care is and what they do. Focuses on elderly who have memory issues like dementia and need care.
- Residentially designed community for memory care patients only.
- Designed for max of 26 beds, but only expect their ideal run rate of 21 maximum at any given time.
- Mix of single and intended shared bedrooms.
- This is not meant to be a hospital, but a facility specific to memory care patients.
- About 15-16 full time equivalents on the floor in various capacities. They plan to hire locally and train staff etc.
- As a smaller organization, we can cross-train our staff. Even rotate people off the line every few weeks, to help prevent employee burnout.
- Stephen Thibeault asked if there's any facilities like this now. This is the first of its kind in this format.
- Stacey, Chris' colleague, stated they plan to have curb cut on Orchard road.
- A slide deck was shared.

[Impact Deck – Town of Livingston.pdf](#)

- Questions were asked and answered, by both the board and public.
- The board recommends finalizing the submission of their application and a subdivision application will need to be submitted as well.
- Jeremy will convert the application to an official planning board application and will be put on the 04 Dec 2024 agenda. Fee's, plus escrow has been submitted. REQ-245 will be canceled as the special use permit will handle the site plan review as well.
- The Town Engineer will be engaged to review the application.

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There being no further business, a motion to adjourn was made by Craig Dombrowski, 2nd by John Ross. All present voted AYE. Motion passed.

Next scheduled meeting will be held 04 Dec 2024.

The meeting closed at 8:38pm.

Respectfully submitted,

Jeremy Steuhl  
Secretary Livingston Planning Board

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