

LIVINGSTON PLANNING BOARD

April 02, 2025

The regular meeting of the Livingston Planning Board was held 02 Apr 2025 and opened at 7:00pm with the Pledge of Allegiance.

In attendance:

Robert Bellinger (Planning Board Chair)
Rebecca Harclerod (Deputy Planning Board Chair)
Brian Molinski
Stephen Thibeault
Craig Dombrowski
George Weidler
Jeremy Steuhl (Planning Board Secretary)
Andrew Howard (Planning Board Attorney)
Ryan Loucks (Town Engineer/C&A)
George Schmitt (Town Engineer/CPL)

Absent:

John Ross

Participants

- Bob Ihlenburg
- Brian Jevremov
- Al Bellenchia
- Monserrat Rios
- Fire Chief Paul Jahns

Correspondence

None

Minutes

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

Motion to accept minutes from 05 Mar 2025 by Brian Molinski, 2nd by Craig Dombrowski. All in favor. Motion approved.

PB-59 - Lot Line Adjustment (Robert Ihlenburg/Black Bridge LLC)

A lot line adjustment application to provide frontage for lots that have no road frontage on Black Bridge Road (No new lots created) 182.00-1-11.121.

- Bob Ihlenburg provided new maps to the board.
- They have been working with power company on crossing rights to access the lots on the west side of the power lines, to meet their specifications. We finally meet their criteria. They have 2-3 things that they still want from us, which we will provide.
- The power company is still saying they have up to 60 more days before they will sign off.
- Robert Bellinger asked about the access road to the back. It starts in one lot, crosses over into another lot and then to the lot beyond the power lines. The power company said that the road would be too close to their power lines, that's why they have to do that. Robert Bellinger asked if it will be up to private road specs and Bob Ihlenburg said yes.
- Robert Bellinger asked if the power company asked for a setback from their property. Bob Ihlenburg said no.
- Robert Bellinger asked if any other driveways are put in. He said no, but they are working on clearing some of the properties.
- Robert Bellinger asked if board has any questions. Brian Molinski stated he thinks this cleans up the project.
- The owner has a buyer for two lots already. One is from the neighbor and the other who wants to get started on building a house.
- Attorney Howard commented that the private drive looks good, but concerned about selling property before the power company approves. Without anything in writing from power company, there's no guarantee.

- George Weidler thinks they should come in with the power company letter when it's ready.
- Robert Bellinger stated that he'd like to get the power company letter with their approval.
- Brian Jevremov, owner of the property, has brought the buyer with him for the lot in question. He is also interested in the lot on the other side of the power lines.
- Josh Kallen spoke about this application regarding DEC wetland regulations. Does not believe there would be any of the property would have any wetlands there.
- Next door neighbor wants to purchase the southerly lot to expand their property.
- Brian Molinski commented on whether the buyer wants purchase the rear lot as well. He said he would like to buy it eventually once the crossing is approved.
- Craig Dombrowski and George Weidler are not comfortable with doing any approval until they hear from power company.
- Attorney Howard stated there should have definitiveness on this.
- Robert Bellinger wants to wait another month until we hear from power company.
- New maps provided will be uploaded to the application.
- Applicant will plan to return at next meeting with updates.

PB-137 - Special Use Permit (Al Bellenchia)

Special Use Permit to repurpose the existing former restaurant into a retail business use and constructing two new accessory structures at 3521 & 3519 US-9, Hudson, NY 12534 140.-1-7.3 & 140.-1-6.3.

- Crawford & Associates has recused themselves as the Town Engineer for this application.
- George Schmitt from CPL will be the Town Engineer on this project.
- Al Bellenchia from habitat presented the project. They purchased this land from a grant. They are currently in a rental situation for the past 20 years. They've outgrown it and with the grant from the state, they were able to purchase this property.
- Al Bellenchia provided some poster boards of the concept plan.
- They would like to add additional accessory buildings.
- They need a new septic, since the original septic was lot lined off. That septic was designed to handle the previous use's plans for a ballpark. Looking for guidance from the board on how to proceed. Their current lease expires in October. Would like to be in the store by September. Timing is critical to get the septic installed.

Al Bellenchia said Dept of Health (DOH) said it's not their jurisdiction to approve the septic build, nor is of a size or type that requires their approval.

- Robert Bellinger asked if there's 2 lots that will make up this project. Yes, there's 2, but would like to consolidate them. Applicant was advised to put in a Lot Line Adjustment application.
- Craig Dombrowski asked if DEC has been released from regulating this? Recommended that they double check that with DEC. Al Bellenchia said according to their attorney, they do not believe there's a jurisdictional issue with this.
- Attorney Howard asked what George's thoughts are on this project.
- George Schmitt said the septic still needs to be approved by an authorized regulatory agency. Either Columbia County DOH or DEC would have to take responsibility for it.
- Attorney Howard commented that we should send the comment letter to DOH.
- Al Bellenchia wants clarity on path needed to take to move forward on this. Would prefer to keep it in DOH. Attorney Howard agreed and suggested that they go back to DOH to request their review.
- Attorney Howard asked about the main building. It will be retail operation.
- Attorney Howard asked why it's special use. It's because of the accessory structure #2. Code says if accessory structure type 2, have to be a special use. George Schmitt said it should be discussed by the board and attorney.
- Attorney Howard looked at the code and said accessory structure #2 is over 1500 sf.
- Al Bellenchia said he doesn't plan to operate the ice cream stand. They plan to use it for storage.
- George Schmitt reviewed the comment letter.
 - How would you get between buildings, water, electricity etc. It's not shown on the current plan.
 - Hours of use, operations etc.
 - There's nothing on the map, that is from an actual real survey.
 - Recommend that this go to DEC to review for freshwater wetlands.
 - Needs to go to Greenport planning.
 - Should go to DOT for referral, since it's a change in use.
 - Parking should be reflected in the plan.
 - New site signage, dumpsters etc should be shown on the plan.
 - Any proposed outdoor lighting should be shown on the plan.
 - Site plan code states that building elevations should be shown.
- Attorney Howard recommends addressing the engineers comment letter. In this instance, we'd have to send to County Planning and Greenport. It makes sense to

do the to do the lot consolidation should be done now and recommended to put the lot line adjustment application in now.

- Escrow will be at \$3000.
 - Applicant will return in May.
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PB-125 - Special Use Permit (Caris Memory Care)

– PB-132 - Subdivision (Caris Memory Care)

A Special Use Permit for a 12,500 sqft memory care facility and 2,500 sqft office space and major subdivision on Orchard Road, just off of US-9 140.-1-44.1.

- Andrew Howard has recused himself from these applications.
 - Monserrat Rios provided updates. There is not much yet to show the board regarding plans. Fee's are provided for driveway permit and major subdivision. Monserrat asked if the board would declared themselves lead agency.
 - Ryan Loucks commented that circulation of lead agency has to be done before Livingston can declared as lead agency.
 - Area of lots need to be finalized before the application could be considered complete.
 - Monserrat Rios acknowledge that comment letter from the Town Engineer and they are still working on that.
 - Robert Bellinger is concerned that there might not be enough land. The proposed driveway does not look like it will be big enough to handle turn arounds, specifically for emergency vehicles.
 - Brian Molinski asked if the lots were to be finalized soon, so that we can consider the application complete to move it forward? MR said yes, perhaps by the next meeting.
 - Fire Chief Jahns wants to see a set of plans, where kitchen, rooms, dumpsters, generators etc are going to go. We can't really give an opinion until we see what it is. Also, concerned that there will not be enough land. Will there be propane tanks, above ground or in ground?
 - Robert Bellinger asked what pressure is required for a sprinkler system. Fire Chief Jahns commented the standard that has to be followed from the NFPA code.
 - Robert Bellinger would like more information, what the heating system is, are their utility rooms and so on.
 - Applicant will plan to return to the May meeting with updates.
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There being no further business, a motion to adjourn was made by Brian Molinski, 2nd by Rebecca Harclerod. All present voted AYE. Motion passed.

Next scheduled meeting will be held 07 May 2025.

Meeting closed at 08:08pm.

Respectfully submitted,

Jeremy Steuhl
Secretary Livingston Planning Board

DRAFT