

TOWN OF TUSTEN PLANNING BOARD, July 26, 2022

A regular meeting of the Town of Tusten Planning Board was held July 26, 2022, at the Tusten Town Hall and via zoom link ID 89713768662, with the following members present:

PRESENT:

Ken Baim (in person)
Mary Bermudez (in person)

Barry Becker (in person)
John Kaufman (in person)
Peter DeAngelis (in person)

ABSENT:

Chairman Ed Jackson

Joseph Curreri

OTHERS PRESENT: Amy Lohmann Planning Board Clerk (in person); Crystal Weston Town Clerk (in person), Ken Klein (Town Attorney) and approximately 1 member of the public in person and 4 on zoom.

The Regular Meeting was called to order at 7:30 pm by Deputy Chairman Baim, following the Pledge of Allegiance.

RESOLUTION #23-2022

ACCEPT MINUTES

On Motion by Bermudez, seconded by Kaufman the following resolution was

ADOPTED 5 AYE 0 Nays

RESOLVED, to accept the May 24, 2022, minutes as presented.

Roll Call Vote:

Ken Baim, Deputy Chairman	AYE
Mary Bermudez	AYE
John Kaufman	AYE
Barry Becker	AYE
Peter DeAngelis	AYE
	CARRIED

OLD BUSINESS:

Discussion on the Solar Farm – Code Enforcement Officer Crowley not present.
Down town business

NEW BUSINESS:

Josh Felderstein, 116 Fracis Drive for a lot line adjustment, SBL 25-1-18.9
Applicant does not have a big map but will be getting them to have signed. A deed will need to be drawn due to the lots are in different names. Applicant is keeping the 300-foot road frontage and this conforms with requirements for a subdivision. This is not on a county or state road, no 239 needed. Applicant needs to review Sec 241-17 of the town code of what should be added to the map.

RESOLUTION #24-2022
LOT LINE ADJUSTMENT

On Motion by Bermudez, seconded by Becker the following resolution was

ADOPTED 5 AYE 0 Nays

RESOLVED, to accept the lot line adjustment for Josh Felderstein, 116 Francis Drive, Narrowsburg, NY 12764.

Roll Call Vote:

Ken Baim, Deputy Chairman	AYE	
Mary Bermudez	AYE	
John Kaufman	AYE	
Barry Becker	AYE	
Peter DeAngelis	AYE	CARRIED

Solar Farm, Woodoak Drive, Narrowsburg

Code Enforcement Crowley not present

The interior area has been mowed and brush hogged in the middle.

A letter from Joe Curreri was read with concerns of dead trees and not being mowed. Some trees are being eaten by deer and not being maintained. There is grass growing under the panels and could be a fire hazard. Some of the spruce trees have new growth at the top while some are dying. It was discussed that this may take a few years before we see what we are expecting. There is money in the escrow account that the code enforcement officer can use. Code Enforcement Officer should look at the property maintenance code. There are details on the site plan. When requiring buffering zone, you can request them to be purchased and planted at a certain height. The big issues are the mowing and screening trees. There should be a snake monitor to walk in front of the mower watching for rattle snakes. The Code Enforcement should refer to the notes on the map with planting, contact about mowing and being maintained. The grass should be cut and check for other provisions. Once the CO issued, the applicant still needs to keep up on the maintenance. The solar farm is up and running and on line. The Code Enforcement officer can first give a violation, file the violation different code- uniform violation five codes. The object is to gain compliance. The biggest issues are mowing and dead screening.

RESOLUTION #25-2022
ADOPT RESOLUTION

On Motion by Bermudez, seconded by Kaufman following resolution was

ADOPTED 5 AYE 0 Nays

RESOLVED, to adopt the following resolution that the Planning Board recommends to the Code Enforcement Officer that he contact the applicant and request that they comply with planting requirements and replace any dead vegetation required on face site plan and that they mow the facility now and regularly as required and compile on face of the approved site plan. The Code Enforcement Officer review property maintenance code to determine whether if any other violations and if so to take appropriate enforcement action.

Roll Call Vote:

Ken Baim, Deputy Chairman	AYE	
Mary Bermudez	AYE	
John Kaufman	AYE	
Barry Becker	AYE	
Peter DeAngelis	AYE	CARRIED

It was asked if insurance is needed to get a CO? There are no town requirements of having insurance at this time.

Mr. Weiden is in the down town business district. 14 and 26 Erie Street are for development. He is developing on the same side of the street in the down town business district. The two dwellings are 200-foot, same side of street and are within the same block. The proposed can have no greater than the average set back. If circumstances can come to the Planning Board for good cause, whatever the board decides. There are a lot of lots are old lots. The other instance is special use approval. The board can waive any requirements, setbacks, parking have to request waivers and make a showing. The applicant can always go to the ZBA. The applicant can build but not past the front of the white house (26 Erie Steet). We are looking at two garages on this plan. The applicant is using gravel for lot coverage and this may need to be waived. The same side of the street would be consistent. There is room for sidewalk that everyone parks on. The census of the board is to tell the Code Enforcement Officer to issue a building permit. The board reviewed the changes to these lots at previous meetings.

RESOLUTION #26-2022

ADOPT RESOLUTION

On Motion by Baim, seconded by Kaufman following resolution was

ADOPTED 5 AYE 0 Nays

RESOLVED, to pursuant to Section 5.0.2, paragraph 5, the building matches the setbacks on existing buildings on with 200 feet on the same block and to the extent might not. The board feels that under the circumstances of the configuration and uniqueness of the lot located on the railroad tracks to the rear as such warrants a waiver to extent that its not consistent with existing structures within 200 feet. Code Enforcement Officer is to move forward with building permit as shown on the proposed plat presented with size from 2021. The lot coverage is waived.

Roll Call Vote:

Ken Baim, Deputy Chairman	AYE	
Mary Bermudez	AYE	
John Kaufman	AYE	
Barry Becker	AYE	
Peter DeAngelis	AYE	CARRIED

The applicant is putting in side walks and there are no parking violations as he has 28 spaces already. There will be better site distance on to Bridge Street. Everything that has been done meets code.

The next meeting will be on Monday, August 22 at 7:30 PM due to an election on August 23. There are new rules to being on zoom and Ken Klein will check into this. Town Clerk will put the meeting change notice in the paper.

Board Comment

No other board comments

Adjournment

With no further business or board comment a motion by Ken Baim, seconded by Mary Bermudez to close the meeting at 8:24 pm. All in favor.

Respectfully submitted, Amy Lohmann, Planning Board Clerk