

LIVINGSTON PLANNING BOARD

May 01 2019

The regular meeting of the Livingston Planning Board was held May 01 2019 and opened at 7:00.

In attendance were Chairman Phil Schmidt, James Mc Farland  
Bernie Stickles, Robert Bellinger, Chip Keil, John Ross, Stephen Thibault and Martin Nayowith.

Engineer Michelle Mormile.  
Attorney Ted Hilscher.

Absent: NONE:

Correspondence: Letter dated 04 23 2019 from Engineer Michelle Mormile.

A motion to accept the minutes of the April 03, 2019 meeting was made by Chip Keil and 2<sup>nd</sup> by John Ross. All present voted AYE. Motion passed.

7:02 the public hearing for Robert Schumer and Ruth Oxenburg a Site Plan application due to a denied building permit for 80 John Bay Road. Per Local Law #1 for the year 2017: Solar panels used by residences and businesses, pole mounted/free standing shall be allowed in all districts with site plan approval and public hearing. Property in LDR 2 29.87 acres. Fee paid. It will be a top of ground mount installation. 5 groups of 8 panels.

Received the notification of neighbors and new maps.

No comments from the public or written correspondence was received.

Public hearing closed at 7:03.

The Board reviewed the maps and saw that the panels were moved behind the building as shown on the new maps. It was determined that the front of the house is with the driveway.

Attorney Hilscher read the SEQRA questions and the Board answered No to all.

A motion to declare a negative declaration was made by Stephen Thibault and 2<sup>nd</sup> by Bernie Stickles. All present voted AYE. Motion passed.

A motion to approve the Site Plan application as presented was made by Stephen Thibault and 2<sup>nd</sup> by Robert Bellinger. All present voted AYE. Motion passed.

Jacob Bump representing GLT Farms 525 Blue Hill Road a Special Use Permit for 3.2 Schedule of permitted Uses#1. For an accessory structure #2 larger than 1,500 square feet. A barn for personal use 8,250 feet. A copy of the maps will be sent to Fire Chief Paul Jahns. Public hearing scheduled for May 7<sup>th</sup> at 7:04 in a joint meeting of both boards. To be advertised.

Chairman Schmidt will recuse himself from this application and will not cast a vote.

Vice Chairman Robert Bellinger took over the meeting.

A motion that the public hearing is closed was made by Stephen Thiebault and 2<sup>nd</sup> by Bernie Stickles. All present voted AYE. Motion passed.

Robert w. Osterhoudt PE. Gave an overview.

Submitted were:

1. Site Plan (20) sheets.
2. Survey.
3. HGY work plans and DOT permits.
4. Lighting plans.
5. Sign Elevation.
6. Storm Water Plan.
7. DEC paperwork.
8. Wetland reports.
9. Full environmental Form.
10. Traffic report Level B.
11. Dangerous species (no bald eagle on site)

Parking.

The old site has trucks parked on the side of the road which is a safety concern the new will have modified plans for parking. This will not be truck stop. No overnight parking.

Storm Water.

Old site no storm water controls and old tanks

New site State of the art. DEC requirements. Cannot have any more water than the site does on current greenspace. Exceeds DEC requirements.

Old Site.

Owned by Global. Tanks to be removed according to DEC requirements. A deed restriction that no other gas station can be built there. No information on the removal of the building

This will create additional jobs and tax revenue.

Comments from the public.

1. Ann Macphearson Concerned of the feasibility of restaurant and effect on eagles. Market menus will change as needed.
2. Andre Albert Showers? Ans. NO
3. Melanie Nelson Follow the Master Plan what type of soil and cost of gas is higher than average.
4. Dr. Jeff Monkash fumes can cause heart attacks or stroke.
5. Susan Wilers. Any electric charging stations?
6. Catherine Tyler Is Long form filed? How does public have access to plans.
7. Pam Kline from the Livingston Concerned Citizens have that information on their web site.
8. Guy Hughes thanked Global for appearing and answering all questions.
9. David Flood Storm Water?
10. Becky Schroeder amount of rain, will storm water be over whelmed for the system Ans. Built for 100 year storm.
11. Paul Ruben Septic system and waste water. Ans. Redesigned to accommodate larger flows. Spedes permit.
12. Rose Callusal. Upgrade old station and not move to build a new one. Ans. not feasible.
13. Mike Grishman. Storm water.

Comment period is over. Written correspondence received.

1. Kenneth Flood.
2. Paul De Crosta.
3. Karen Fetty.
4. Melanie Nelson.
5. David Finger.
6. Paul Jahns Fire Chief.
7. James Alvarez.

8. Ginsburg's.

Also attending:

Global:

Attorney Rob Panasci (Young Sommers firm)

Dino De Thomas

Kim Keil

Tom Danieluk.

Bowler.

Robert W. Osterhoudt

Jim Gillespie.

A motion to have another public hearing was made by Chip Keil and 2<sup>nd</sup> by Bernie Stickles. All present voted AYE. Motion passed.

Attorney Panasci stated the applicant will waive all requirements mandating action on the application within necessary time frames.

The Board took the recommendations that Engineer Michelle Mormile made in her letter dated April 23 2019 and advised her to act on them.

Attorney Hillshire stated the process is intact .If anyone has more comments please send them to his office.

A motion to declare the Livingston Planning Board a Lead Agency was made by Bernie Stickles and 2<sup>nd</sup> by Stephen Thibault. All present voted AYE. Motion passed.

Chairman Phil Schmidt returned.

The Board was reminded that there will be a special meeting May 7<sup>th</sup> for both Boards.

There being no further business a motion to adjourn was made by James Mc Farland and 2<sup>nd</sup> by Bernie Stickles. All present voted AYE. Motion passed.

Next scheduled meeting will be held May 0 7, 2019. At 7:00 p.m.

Meeting closed at 8:34

Respectfully submitted,

Eileen Yandik  
Secretary Livingston Planning Board.