



TOWN OF CAIRO PLANNING BOARD
PO Box 728, Cairo, NY 12413
Chairman-Ray Pacifico
Email: planning@townofcairo.com

Meeting Minutes: June 2, 2016

Members Present: Ray Pacifico, Allen Veverka, Jessica Dillon, Peter Kavakos, and Elizabeth Hansen
Absent: Mike Villela & Edward Forrester

Pledge of Allegiance

Approval of May Meeting Notes – Pete moved to accept the meetings minutes and Jessica seconded. All were in favor – Minutes passed

Ray noted a letter was sent to the Town Board requesting that planning board member Mike Villela be terminated due to lack of attendance. This will be brought up for consideration at the next Town Board Meeting on June 6, 2016.

Last month interviews were conducted for filling the position left by Richard Lorenz. Letters were sent to notify Joe Hasenkopf he would be taking over the full time position as member on the planning board and to Tom Gurney as alternate. The Town Board will vote on this at their next meeting.

Public Hearing

Tom Garden and John Muller – Rudolf Weir Road Project – John Muller addressed the public noting he and Tom Garden live on Conrad road off of Rudolf Weir Road in Earlton, New York. They are looking to obtain permission to combine properties and then subdivide into two properties with new property line boundaries. John noted that they have already had the survey done and that they are getting rid of a build lot and a right of way. There is a stone wall fence that will be used as a dividing line. Each deed will need to be rewritten. There are no plans to build on either lot. Ray asked if there were any questions from the public or board members. Ray noted the public hearing would remain open.

Open Business

Glaviano & Parra - Al Macdonald sent a letter to the Planning Board asking them to keep the Public Hearing open on the two clients he is representing Nicholas Glaviano and Anna Parra Sub-division. Ray stated the projects have been open for three months now and he will need to contact Dan Benoit to see how long the public hearing on these can stay open. He will also be in touch with Al to see what the plans are for these two clients in moving forward. Jessica noted that it would be unusual to keep something open past three months. Ray will report to the planning board next month.

Tom Garden and John Muller – Rudolf Weir Road Project – the plans were brought before the board on what it is they want to do. They stated their intentions of purchasing the two properties and combining them and splitting the property up between the two of them. The right of ways will no longer exist. It will not be approved as a building lot. Ray asked that they fill out SEQER paperwork and bring it back to the board. They will also vote on the SEQER review.

Master Units Retreats – The lawyer for Master Retreat Units stated that they would like the process to move forward and are looking to have the previously approved plans reapproved. They also wanted to know if the original approved documents had lapsed and that they did in fact have to reapply again. The original approval was done back in 2013 and a lengthy written review was done by the board and approved. Their lawyer said that his clients are looking for their last DOH approval and they were hoping they would have had it for the meeting but unfortunately it did not come yet. Ray had asked them to come in and do a new site plan application for the project. The lawyer reiterated that Master Retreat Units is not looking to change anything on the original approved site plans. They would like to submit that plan.

The lawyer stated that the zoning code does allow for a less intensified review and he felt this would be appropriate for the project. They agreed that, yes there has been a change in the law but the permitted nature of the use has not changed. Also instead of waiting until the town's lawyer comes back from vacation why not move forward. It was noted that they could also go to a Zoning board of Appeals to get the question decided. They have spent over \$100,000 already and are not looking to circumvent everything.

Ray handed out emails and letters to the planning board for review of the discussions that have taken place over the past few months. The board will review and have comments for next month's meeting. He explained that the next process they would have to go through is to go to the Zoning Officer, Robert Fritze for site plan approval. Robert is the one who makes a determination what can go in what zoning area and what cannot. It would then go to the planning board to schedule a public hearing. The lawyer said that the question to Tal was that Master Retreat's felt there was enough substantial work had been done that they didn't have to come back before the board. What really slowed things down for them with the passing of a professional they were working with. The lawyer stated that they have been working through the DEH and DOA issues but have kept moving as far as they can. Also they did put in the parking lot which was approved by the Town.

The initial approval of the original the house was originally approved as a residential building code and that only private owners and friends of the family would be allowed not a bread and breakfasts as they are not allowed. Master Retreats stated again that they have no intention of being a bed and breakfast, it

will solely be a private residence. Building code is different than zoning code. Nier mentioned that there was also some confusion from both the planning board and the code enforcement didn't make things very clear with the direction they needed to go in. Master Retreat Units will be on the agenda for next month for a Public Hearing.

Tom Garden and John Muller – Rudolf Weir Road Project – SEQER application was reviewed by the planning board and it was determined to have a negative declaration from the project. Allen made a motion to accept the negative declaration and Jessica seconded it. All were in favor. Based on that vote a motion was made by Jessica to close the public hearing on the project and Beth seconded it. All were in favor. Next a motion was made by Allen to approve the sub-division and Pete seconded it. All were in agreement.

Ray noted that the planning board needs two copies of the plans and two need to go to the County. The plans need to be filed within a month with the County, they want the Mylar and two copies. First go to the treasure to show taxes are paid then you go to real property to show receipt that taxes have been paid and then to the County Clerk's office in Catskill and file the plans.

Nolan Propane – No one was in attendance for the review. There are several issues reported and discussed by the Planning Board. The first issue is that things are moving very slowly in regards to the changes they are required to change, they have not come back to the Planning Board for approval on the site plan. Trees still have not been planted. Also the lights are not where they are supposed to be. Allen said he thought they should be issued a cease and desist order until they conform to what was approved per the site plan. The site plan was pulled out and review to see exactly where the lights were supposed to be. It appears that they are continuing to operate even though they are out of compliance.

Ray said he can call Mike Biscone about the issues and also talk to Stacy about the order. Jessica said that they need to hold them to the original site plan or ask for an amended site plan for approval by the Planning Board. Jessica also stated that they should be told that they can no longer operate until the new site plan is approved. Everyone agreed that Nolan should be notified and made to come back before the board for approval on the revised site plan. Jessica said that at the last meeting Ed stated to Nolan that the first time can be considered an accident but if it keeps happening then it begins to have the appearance of ignoring what they were approved for. Allen pointed out that Nolan never said it was a mistake but a "bad judgement call", so they have to take responsibility for the bad judgement call. Pete also mentioned that when Hannaford put their lights in they were supposed to be 35' tall, not 45'. So Hannaford had to fix the lights and they did. A motion was made by Pete to and have them come back to the planning board for approval on an amended site plan and stop all work in the meantime. A new map will also need to be submitted at that time too. Jessica seconded it. All were in favor. Stacy will need to advise Nolan of the stop work order.

Patricia Schneider – It was noted that the project is currently on hold by Patricia Schneider to look at the total costs on the project.

New Business

Whip-O-Will Camp Site – No one was in attendance for this project.

Dunkin Donuts – A letter was given to the planning board by Zoning Officer, Robert Fritze stating that the proposed project for the Dunkin Donuts going into the old Greene County Bank was in compliance with the zoning laws and their site plan review submission. Mr. Paul McQuery is the site engineer for

the project. David Leal is the actual owner of the Dunkin Donuts and Andy is the lawyer. Paul talked about the current site located at 281 CR 23B, Main Street, Cairo, NY. The idea is to take the unused building and making it into a Dunkin Donuts. Modifications include the modification of the bank teller window on the western side and on the eastern side the drive up window would installed along with the order board, with parking and a drive around area. There will also be modifications to the inside to make it more like a Dunkin Donuts. Driveway access will continue to be on both roads. They would also follow the restaurant code in the zoning laws.

In regards to parking spaces needed, which is 14 spaces, currently there are currently 20 spaces. Lighting will also change, the old bank lights will come down and new lower lit lights would be installed. The spillage on the lights will not exceed the property. Ray asked if there would be enough room for both the drive through and pass by and Paul stated he has already checked that and there would be enough room.

Dunkin Donuts is requesting a less intensive review due to the fact that they are not putting a new building up they are only modifying the existing building. Because the building was used before almost all requirements have already been addressed and approved. The site plans will be provided when they are completed. Construction plans are currently under one year after the start.

A letter will be sent to the County for approval. Elevations and color schemes, the signage and Jessica made a motion for a less intensive review on the project. Allen seconded it. All were in favor.

Bette and Cring - the Old Market Wise Office. They are going to be renting the space at 336 Main Street, for the inspection staff. Looking to just rent space, there will be no customers, and no machinery. Allen made a motion to a less intensive review. All the in favor

The \$100 check for the review was waived. The motion was made by Allen and seconded by Pete. All were in favor.

Allen made a motion to close the meeting and a Pete seconded the motion. The meeting was adjourned at 8:15 pm. All were in favor.

The meeting was adjourned at 8:10 pm.

Respectfully submitted,
Sherry B. True