



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

Meeting Minutes: December 7, 2017

Members Present: Ray Pacifico, Allen Veverka, Joe Hasenkopf, Ed Forrester,
Elizabeth Hansen and Kevin Hicks

Absent:

Pledge of Allegiance

Approval of Meeting Minutes for November 2, 2017

The Chairman stated that the first order of business is to review and approve the November 2, 2017, meeting minutes. Joe made a motion to approve the minutes, seconded by Allen, all were in favor, the motion passed and the minutes were approved for the record.

Public Hearings:

**1) 2425 Rt. 23B; Owner – The Estate of Robert McManus, Gerald Winn –
Convert bar to 3-family residential**

Bryan Clapper, the engineer, presents for The Estate of Robert McManus, which is represented by Gerald Winn. Owner is proposing to convert main building to a 3-family residential - thereby changing what was Otty's Grub "N" Pub to a 3-family residential. There will be two 2-bedrooms and one 1-bedroom apartments in the main house. The main building has an existing septic system originally designed for the restaurant which will be sufficient for the intended use in the main house. A point was brought up with regard to a change of use – the applicant may need to go back to the State for septic system assessment, however, the engineer believes this not to be the case.

Tamara Graham Heidenberg, a neighbor, discussed that there were 3 other buildings and an old trailer on the property as well. The owner of the property is currently The Estate of Robert McManus, however, the property is being sold in the next few days to a new owner. At present, Gerald Winn legally represents The Estate.

It was further discussed that the other 3 separate cottages on the lot have their own septic system – and each of the smaller cottages are one-bedroom units. There is one existing well on site for all the buildings. Tamara Graham Heidenberg asked who was going to be doing the construction.

There were no further questions, the public hearing was held open, and Bryan Clapper was informed he would be called up shortly.

Open Business:

1) Patricia Schneider – 80 Birch Hill Rd – Play Zone

Patricia Schneider sent us a letter asking for a 6-month extension for the Play Zone, from the date of the Nov 18, 2016, site approval letter. Ms. Schneider says the Department of Health is backlogged as to approval for her site. A 6-month extension would be valid through April of 2018. There was discussion that the new zoning law allows for 2 years to begin construction, however, Patricia came to the Planning Board before the new zoning law took effect.

A motion to grant the 6-month extension was made by Allen, seconded by Joe, all were in favor, and the six-month extension was granted. The Chairman said he will send a letter out to them.

2) Solar City – Paganos – Loreen Harvey

Last month Loreen Harvey came to us for approval for the installation of solar panels on the Paganos property. After much going back and forth, the Board concluded the property is classified as a commercial property and will need to be approved under those guidelines. Loreen indicated that after review of the specifications, a lot of those things that are in the commercial property guidelines don't apply because they are only installing on the roof of the building.

Loreen will come to us with a site plan application and either ask for a less intensive review or ask us to waive those things that are not applicable. The Chairman indicated as proposed Loreen can come back next month, so he will send her an email stating this.

3) 278 Crow's Nest Road – Amended Site Plan and 2-lot subdivision

Would like to table that for now. And go over this afterwards.

4) Robert McManus, Jr. – 2425 Rt. 23B - Convert Commercial Building to 3-family residential

Ray asked that Bryan Clapper get a letter from Gerald Winn obtaining authorization for him to speak on behalf of the Estate of Robert McManus. It was discussed that there will be a new owner in a few days so would then need to go and obtain a letter from the new owner regarding same authorization.

The owner proposes to change the main building, formerly Otty's Grub "N" Pub, from a bar to a 3-family residence. The Chairman said the Board will keep the public hearing open for now and asked that Mr. Clapper just revise the application and obtain the authorization letter. Brian Clapper explained that the exterior of the building all stays the same. A Board member asked about the exterior lighting, and whether there was plenty of parking. It was explained that there needs to be a site plan with an

overall layout of the parking, driveways, lighting, garbage disposal, etc. Mr. Clapper was tasked with obtaining the appropriate site plan, outlining items discussed along with completion of the SEQR form and the appropriate authorization letters and bringing everything with him to next month's meeting.

New Business:

1) Twin County Recovery (Applicant) – 513 Main Street – John Gallagher (Owner)

Ana Galeano, Esq., presents for Twin County Recovery and Mr. Gallagher. Ms. Galeano indicated that she had a hard time with the engineers. She stated they were not really sure what is needed from Code Enforcement. Said they talked to the zoning officer who didn't understand what A2 and B2 sort of meant. Ana suggested that maybe Code Enforcement should work with the engineers to find out what else it is the Town would expect. The Chairman stated that Code Enforcement did speak to the engineers and explained everything to them. Ray thinks they have an understanding and perhaps she should touch base with the engineers and each other. Ray explained that the Board is looking at the overall aspect of health and safety, things like that.

Ms. Galeano stated that the primary purpose of the meeting this evening was to ensure that they can schedule a public hearing as early as possible and that the Executive Directive of Twin County would like to be present for that public hearing. The Chairman said it could be scheduled for next month.

The Chairman asked if Ms. Galeano had provided the Board a letter from John stating she can represent him. She indicated that, yes, she did provide one. Ray could not locate the letter, so he asked to be provided a new one. Stated that the Zoning officer reviewed the zoning law and indicated it was an allowable use.

Ms. Galeano asked Joe what he was thinking – Joe noted that there was just an opening and that there was no door. There was a question about whether it was only two offices? The answer was yes, that it has always only been two offices. Originally the drawings showed a counselor room and waiting room. It was reiterated that there are no services being offered – no clients being seen in the facility so there is no waiting room. There were questions about the bathroom – John Gallagher stated that the employees would be using the bathroom on the first floor in the banquet hall and it's right on the way at the bottom of the staircase. John explained that he plans to extend a wall dividing off his personal space. A question was asked about which entrance they would use. It was indicated that the employees would come in through the front door. Ms. Galeano stated that the engineers have the drawings wrong and apologized that “you guys should have had these earlier.”

Ms. Galeano stated that she wants to make sure the Planning Board has what it eventually needs and wants. There are 3 spaces, use of downstairs bathroom for the 2 employees only. It was discussed that the second egress will be through the back. In case of an emergency you would need that. That would be a Building Code issue.

Ray informed Ms. Galeano that the other thing needed would be to get a letter from Twin County saying that you represent both Twin County Recovery and John Gallagher. Ana said she would do that as soon as the next day. It was further reiterated that the usage would be for administrative office space only. In fact, they are there intermittently; they are in and out of the jails, etc. Since the Cease and Desist Order no one is there. The only people that will be there are administrative office people. Ana

went on to say “as you and I have discussed Ray, if the public has concerns, we will make the Executive Director available to address any public concerns.”

Ana asked how we go about scheduling the public hearing. Ray assured her we would schedule it for the next upcoming meeting in January on the 4th and send out notices. John Gallagher came forth and made out the two checks, one for \$100 for the site plan application fee and a separate check for \$25, fee for public hearing.

Ray asked if there were any other questions or concerns. Allen asked if this is the final site plan or draft. There should be something from the engineers stating that this is the final draft. Ray asked Ana if she could get that and bring it to next month’s meeting to confirm that this will be the final drawing or if there will be additional workups. If this is the final, have the engineer say that what was submitted would be the final drawing. Three copies of the drawings will be needed for submittal.

Ana asked if they wanted the 2004 drawings also which were submitted previously. Ray indicated that they would need those and she should bring them to the next meeting also. Beth inquired as to who the Executive Director was for Twin County Recovery. Ana indicated that the Executive Director’s name is Beth Schuster. Ana agreed the old drawings are awful and that she could see why it would confuse the public because it says there is a waiting room. John admitted that was his fault because when he drew it up in 2004 he including a space called a waiting room. Ana and John left the meeting and said they would be back on January 4, 2018.

A discussion followed by the Board – that at the last meeting there were three offices.... not two. There are safety issues for which we should bring in an outside engineer. There seems to be a lot of safety issues, leaving door unlocked to let people out, etc.

Ray discussed that our code enforcement officer, Stacy, put in the Cease and Desist Order because they knew they weren’t supposed to be open. If there were to be a fire, the town would be liable. The office has not been open for the last two to three weeks.

Solar Discussion

Ray said that Ed’s got some questions, wants to go back to Paganos issue with regard to commercial review. Believes there are 2 different uses of the word commercial. Discussion ensued that the fact is that Paganos’ can resell the electricity to renters or is running the property as a commercial business. Ray said he thinks if you set a precedent its bad. If the property is zoned commercial it needs to be reviewed under the commercial guidelines and items should be waived or a less intensive review requested. Ray said that they all would agree that it is something they would address. Since Paganos property is not just a house, it’s a gray area.

It was pointed out that the zoning law applies to commercial solar farms, not solar panels being installed on a roof. The Planning Board decided that they will just waive most of the things.

2) Kim Paradis – 189 Main Street, Cairo, Eat-In/Take Out

Ms. Paradis says she is going to be coming to us, looking on doing something on the corner there where the Pizza Wagon is. Pizza Wagon is planning on going inside and working with her on the inside.

3) Steve Petronio Dance Company – 278 Crow’s Nest Road

Ray offered an update on the status of their approval. The Planning Board sent an approval letter with a condition stating as long as you get a letter from the Fire Department stating the bridge was safe and that work be done to enhance the bridge stability. The Board gave a prior approval giving permission for use up to 50 people. Now that the property has been subdivided and they have two different accesses, some of these issues are coming back. Want to make sure we consider all matters so that if anything comes back to us we are covered.

The Main thing on the original approval was they were approved to have 8-10 visitor dancers, with a maximum of 20 visitor dancers staying for 2 to 3 weeks. They also will be having fundraising events 4 times per year. If they are going to have more than 50 people for these events they would need a gathering permit and a plan for parking as it is limited as well as bussing the guests.

Ray discussed writing a letter stating what was discussed at the last meeting, namely, with regard to the related safety issues regarding the bridge:

- Need to know the true weight of the tanker truck used by the local fire department-- and check with the mutual aid towns that would assist Round Top Fire Department to see what the heaviest truck is in all of those fleets and get that one weighed to determine the heaviest maximum emergency vehicle potentially utilized in the towns in mutual aid of Round Top. If we get that one weighed, then for the future we know what that actual weight is for any bridge in the town. The Town of Cairo Fire Department would be a mutual aid responder and should be consulted on full weight of pumper truck fully loaded.
- Work done on curb installation by Maple Ridge stating that they “professionally installed”; have; have Santo sign off on the work that was done and obtaining a letter from Santo saying the curbs are up to code, or appropriate specifications;
- Issue of the width of the bridge for two-way traffic? Safety issues discussed - suppose there were an event with 50 or more people, and there were to be an emergency with people trying to get out and the fire department or other first responders trying to get in. Would the bridge handle two-way traffic? It was discussed another instance where a roadway was only 10-foot-wide and brought concern that if someone broke down on one of the corners, the fire trucks couldn’t get by.
- A Site visit is in order to determine if there is a bottleneck with the entire road, not just the bridge. Kevin, Allen, and Joe would visit site.
- Recommendation to hire an outside resource with regard to the safety of the bridge -- that way no liability would fall on the town if something happens there. Basically, bring in an outside source to review the bridge and safety issues.
- Another issue is the age and deterioration of the bridge. It was stated that before when he reviewed the bridge that he noted a 30% deterioration. We need to know how much longer the bridge has to go. Since the bridge has deteriorated 30%, it will begin to deteriorate much faster. It was suggested to get an analysis on this issue from Santo as well as an outside engineering firm. To review all of the health and safety issues noted above.

A revised motion from last month was made by Allen, seconded by Joe encompassing all safety concerns including but not limited to the deterioration of the bridge, the width of the bridge, the Maple Ridge work, the weight of the pump truck and water truck apparatus. Need to get escrow account to pay for the engineer. A site visit is in order and invitation extended to the Round Top Fire Department to accompany on the site visit with 3 board members.

Retirement of the Chairman

Ray announced that he is retiring from the Planning Board as the Chairman. He has asked just to retire unless needed, but would like to just retire unless there becomes a situation where he is needed. Ray went on to say that at this point he feels there is a good group in place. He said Stacy Paulsen, who works at Katterskill Engineering, will be appointed as the new alternate (she has an engineering background). Kevin will become a full-time member. Ray said he definitely will come to the next one or two meetings and be on the other side of the table. Ray was going to retire a little sooner, but Dan Benoit the Town Board Supervisor asked him to stay if he would until the end of the year.

Ray went on to say that it has been a pleasure working with the Planning Board Members, and that Cairo is lucky to have them.

Ray announced he will be meeting with Diane to clear up some old business.

Allen made a motion to adjourn the meeting, Joe seconded, all were in favor, and meeting was adjourned at 8:05 p.m.

Respectfully submitted, *Diane*

Diane M. Newkirk ~ Planning Board Secretary