

Minutes accepted and approved.

Motion made by: Jaeger

2nd by: Poelker

In Favor: 4 Opposed/Recused: 0 Absent: 1 Vacant: 0

Signed and Dated: *Sandra Allen 8/1/2024*

Town of Windham Planning Board Meeting
Thursday, July 18, 2024

Board Members Present: Chairperson: Lisa Jaeger
Members: Nathan Holdridge, Claudia Lane, Mike Troccoli
Thomas Poelker via phone
Recording Secretary, Sandra Allen

Board Members Absent:

Also Present: Donald Alberti, Scott Ouimet, Darrin Elsom, Stephanie Grubbs, Jim Lawrence,
Allan Yarmulnik, Adam Yagelski, Phyllis Parrish, Marianne Brigham, Brendan
Dougher

Chairperson called the meeting to order at 7:00 PM, followed by the Pledge of Allegiance.

MINUTES: Motion to approve July 3 minutes was made by Lane, seconded by Troccoli with all in favor.

SKETCH PLAN/MAJOR SUBDIVISION: Allan Yarmulnik, Windham Pines, 618 & 628 Mitchell Hollow Rd, TM # 61.00-5-31 & 46.00-2-11. Subdivide 108 acres into 7 lots with a private road. Kaaterskill Engineering did soil testing, wetlands delineation, TOPO, and spoke with Greene County Highway Dept. Motion to set an escrow account in the amount of \$5,000.00 was made by Jaeger, seconded by Troccoli with all in favor.

SITE PLAN: Lysy, Mill Street TM#s 78.00-9-2, 78.00-9-3, and 78.00-9-4. Chairperson Poelker requested the following before proceeding: 1/4-inch scale large drawings more complete with precise dimensions of all distances, setbacks. ALL EXISTING VEGETATION. Exact location and delineation of all parking spaces. Provide approved and proper downlighting where necessary. Where and how garbage and dumpsters will be hidden. Show driveway aprons and curb cuts precise locations and distances. Indicate as built power lines and label width on all 3 site plans. Indicate exact locations and distances of wetland fencing. In writing for assessment and review of all requested variances being sought. It's hoped the Beavers will return from the destroyed "lodge" and wetlands.

Mr. Yagelski, from Delaware Engineering, presented a Completeness Review as follows:



Delaware Engineering, D.P.C.

Memo

To: Town of Windham Planning Board

From: Adam Yagelski, Senior Planner

Date: July 18, 2024

RE: Lysy site plan modifications – Completeness Review

On May 31, 2024, Yevhan Lysy, with an address of 409 North Road, Stroudsburg, PA 18360 (the "Applicant"), submitted three (3) applications for site plan approval for single-family house development on three approved building lots shown as Lot 2, Lot 3, and Lot 4 in an approved subdivision known as "Subdivision Map for John Lysy" (collectively, the "Applications").

The Planning Board previously approved site plans for each of said lots, and we understand that the Applicant is proposing certain changes to the site plans. In addition, we further understand that, in accordance with Section 5.040 of the Town's site plan approval law, said prior site plan approval may have expired.

On The purpose of this memo is to assess, for purposes of site plan review, application completeness. We address each of the three instant applications, in turn, below.

Application Materials

The Applicant has submitted the following materials in support of their Applications:

- Transmittal letter, dated May 10, 2024, prepared by Kaaterskill Associates, with the following attachments:
 - Site Plan Review Application for Lysy Subdivision – Lot 2;
 - Site Plan Review Application for Lysy Subdivision – Lot 3;
 - Site Plan Review Application for Lysy Subdivision – Lot 4; and
- Site plan set entitled "Amended Site Plan for John Lysy," dated May 10, 2024, prepared by Kaaterskill Associates, consisting of eight (8) sheets.

In addition, we have reviewed various materials that are part of the above referenced prior subdivision and site plan approvals and reference the same, as appropriate, herein.

Site Plan Completeness

The criteria for acceptance of the final application for site plan approval are set forth at Section 3.050(A-E). We find the Applications incomplete for purposes of review under said Section, as set forth herein. We offer the following comments:

1. With respect to SEQR:
 - a. An environmental assessment form must be submitted with each of the Applications. In accordance with NYSDEC guidance, we recommend that the Applicant submit short EAFs.
 - b. The subject Applications involve portions of a site for which the Planning Board, on June 15, 2024, issued a negative declaration having previously classified the action as unlisted, in accordance with SEQR. That action involved SEQR review relative to the above referenced prior subdivision and site plan approvals.
 - c. Prior to issuing any decision(s) concerning the Applications, the Planning Board must classify the actions and, as appropriate, issue a determination of significance.
2. Referral to Greene County under GML 239-m is not required, as the Applications do not involve sites within 500 feet of the items listed at 239- m(3)(b)(i-vi).
3. No sewer connection is proposed; therefore, Town Board approval for capacity allotment is not required.
4. We understand that materials submitted in connection with the Applications are on file with the Clerk of the Planning Board.
5. We recommend that the Planning Board confirm that all required fees have been paid, in accordance with Sections 3.040 and 3.050(E).
6. Please see the following sections of this memo for review of the Applications relative to the requirements set forth at Section 3.030.

Section 3.030 Requirements

We find that each of the Applications for site plan are incomplete and recommend the following additional information be submitted, in accordance with Section 3.030:

7. Comments applicable to each of the Applications separately:

²
Delaware Engineering, D.P.C.

- a. Bearings and distances should be added to all lot lines. b. Proposed contours should be labeled.

- c. Depth to bedrock should be confirmed. According to the FEA Part 1 submitted for the prior subdivision and site plan approvals, average depth to bedrock on the site is >60". See also our comment 1(a), above.
- d. Information indicating the design and type of construction of each building should be supplied. Exterior dimensions should be labeled on the plans. Proposed gross floor area should be noted.
- e. A detail and construction specifications for proposed parking areas and driveways should be added.
- f. The location of outdoor storage, if any, should be shown on the plans. If no outdoor storage is proposed, we recommend a note be added to the plan(s).
- g. The location, design and construction materials of all existing or proposed site improvements including drains, culverts, retaining walls and fences should be added to the plan.
 - i. We understand that certain improvements have been installed on the sites of the Applications, such as the proposed fence along wetland perimeter. The existing conditions plans for Lots 3 and 4 must be updated accordingly.
 - ii. A detail and specifications for the proposed 12" driveway culverts should be added.
- h. Location and design of outdoor lighting facilities should be added to the plans. Details and specifications, including cut sheets for all fixtures, controls (e.g., photosensors), for all proposed lighting should be added.
- i. Location and proposed development of all buffer areas should be added to the plans. There appears to be a buffer between portions of each of the Applications' sites and property lines created by the wetland perimeter fence. If this is to remain undeveloped, it should be clearly labeled as such on the plans.
- j. Location and proposed development of all existing vegetative cover should be shown on the plans.
 - k. An estimated project construction schedule should be supplied.

- l. Record of application for and status of all necessary permits from other governmental bodies should be supplied.
 - m. The Applicant should confirm the location of wells, septic systems and leach fields on adjoining property within 200 feet of site.

- n. The location of existing well or wells on the site, if any, should be added.
 - o. Copies of any existing deed restrictions on the property should be supplied.
8. We recommend that the Planning Board conduct further discussion with regard to the following additional requirements, pertaining to each of the Applications:
- a. The Applicant should confirm that no signs are proposed as part of the Applications;
 - b. Provision for pedestrian access is applicable, in accordance with Section 3.030(8); and
 - c. Where there are other elements integral to the proposed development as may be considered necessary in the particular case, in accordance with Section 3.030(23).
9. Comments applicable to Lot 4:
- a. There is an apparent culvert discharging across the driveway near the southeast building corner. This should be confirmed and, as appropriate, details, specifications, and proposed invert elevations should be added.
 - b. There appears to be an existing utility pole (ca. between WFA13 & 14 on sheet ENG-2) that is unconnected by wires. This should be labeled, and the Applicant should confirm whether it is and/or will remain disused.
 - c. There is an existing roadside drainage ditch shown along Mill Street. An easement similar to what is provided on Lots 3, 4, and 5 should be considered.

General Comments

10. For ease of review and administration, we recommend that the site plan associated with each application be shown separately – for example, on a separate sheet, or as an inset as part of the above-referenced site plan set.

4

Delaware Engineering, D.P.C.

11. The limits of disturbance should be added to each plan and calculations supplied, including relative to the existing house on Lot 5, in order to verify conformance to NYSDEC SPDES and NYC regulations requirements.
12. On sheet 2 of 8, the long dash line that appears to be an offset from various surface water resources present or adjacent to each of the Applications' sites must be labeled and its purpose clarified.
13. We recommend that draft language for all proposed easements be provided to the Board for its review.

Next Steps

14. *SEQR classification*. At its earliest convenience, the Planning Board should classify the proposed actions involving the Applications, in accordance with SEQR.
15. *Additional review comments*. Upon receipt of a complete application, we will provide additional review comments, including with respect to any required SEQR process, as appropriate.
16. *Review of complete application*. Upon receipt of complete applications for the proposed site plans, the Planning Board shall include, as appropriate, but is not limited to, the General Standards and Considerations set forth at Section 4.010(A-K).
17. *Public hearing*. In accordance with Section 5.010, the Planning Board may conduct a public hearing on the site plan if considered desirable by a majority of its members. Such hearing shall be held within sixty-two (62) days of acceptance of a final (complete) application for site plan review.

5

Escrow must also be in place before moving forward.

Meeting was adjourned at 7:49 PM on a motion by Troccoli, seconded by Holdridge with all in favor.

Respectfully Submitted,

Sandra Allen, Recording Secretary