

Philipstown Planning Board  
Meeting Minutes  
September 19, 2013

The Philipstown Planning Board held its regularly monthly meeting on Thursday, September 19, 2013 at the Butterfield Library, 10 Morris Avenue, Cold Spring, New York. The meeting was opened at 7:30 p.m. by the Chairman.

Present: Michael Leonard, Chairman  
Kim Conner  
Mary Ellen Finger  
Anthony Merante  
Pat Sexton  
Neal Zuckerman  
Steve Gaba, Counsel  
Susan Jainchill, Planner  
Absent: Kerry Meehan  
Ron Gainer, Engineer

**Approval of Minutes**

- August 18, 2013 (site walk/Ron Gainer's notes)

Mr. Merante made a motion to approve the minutes. Ms. Finger seconded the motion. The minutes were approved as submitted. The vote was as follows:

Michael Leonard	-	In favor
Kim Conner	-	In favor
Mary Ellen Finger	-	In favor
Anthony Merante	-	In favor
Pat Sexton	-	In favor
Neal Zuckerman	-	In favor
Kerry Meehan	-	Absent

**Public Hearing**

**Manitou Properties Co. LLC – Site plan application – 1656 Route 9D, Cold Spring: Submission of revised plans/discussion**

Mr. Watson said that the plan is to convert the restaurant into an elementary school with a potential population of approximately seventy-five, which will be achieved over a period of years as the school increases its capacity and student population. He said that there are very few changes actually being planned. Mr. Watson said that the driveway system today is a two-way system in and out of the first driveway at the edge of Route 9D between Moffat Road and Peekskill Road. He said that they have proposed to enhance the existing parking lot – make it a little larger that's behind the building for every day parking. Mr. Watson said that the driveway as you approach the building will be widened so that traffic can pass a bus that might stop. He said that staff parking will be in the back of the building in the upper part of the property. Mr. Watson said that the banquet hall parking lot to the west of the property will basically remain the same, except it will be used for athletic events and overflow parking (for graduations, etc.). He said that there will be some construction on the existing exit which will allow buses and traffic to make a loop and come out to Moffat Road. Mr. Watson said that they are proposing with a landscape plan to thicken the screen up to the property next door. Further toward the road, there will be a play set and swing set. The wood picket fence will be replaced by an iron picket fence. Mr. Watson said that they moved the fence back from the road to allow a small rain garden, absorption area from storm water. He said that handicapped access had been address and improved in the front of the building. Mr. Watson said that they are adding an additional walk to get around to the front of the building providing a handicap access into the play area. The signage will remain largely the same. Mr. Watson said that the pillar will be moved slightly to provide a wider entrance and move back a little bit and some vegetation will be cut down to improve the sight distance.

Ms. Sexton said that she wanted to know about the discussion with regard to an elevator inside.

Mr. Watson said that they consulted with the architect and there simply isn't the money to put an elevator inside, but the building will be compliant with ADA requirements, which does not require an elevator to the second floor. He said that anybody that has limited access capabilities will be housed on the first floor.

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Ms. Sexton asked Mr. Watson where he read the information from.

Mr. Watson said that ADA.

Ms. Sexton asked if they didn't require an elevator in the school even when there are things upstairs that apply to children's' education.

Mr. Watson said that there will not be any program up there.

Ms. Sexton said that it just doesn't seem right – not to have an elevator in a building that's going to eventually access children. She said that she would like to have something in writing from the part of the ADA it came from.

Mr. Merante asked if the building would have a sprinkler system.

Mr. Watson said that he did not know the answer to that. He said that if it is required, they'll do it.

Mr. Merante said that it has to be looked into.

Ms. Stein-Marison said that that applicant could not be present, but the understanding is that if the building is under 25,000 square feet, it requires a fire alarm, but not a sprinkler system.

Mr. Merante said that there could potentially be 75 children in there and in some of the rooms....he's concerned that if you have a child or teacher that may be hard of hearing....that's two strikes – no elevator and no sprinkler system. He said that they spend a lot of money on fences and landscaping and trees, but to him, it is absolutely essential in an elementary school and somehow the funds cannot be found for that. Mr. Merante asked Mr. Watson to go over the traffic flow in the morning and evening off of Route 9D.

Mr. Watson said that they did have a traffic study done and the anticipated traffic is about fifty-fifty – fifty percent of the arrivals will come from each side (north and south). He said that when it's combined with the traffic flows that have been observed and the traffic counts that were available, it will not have a significant impact on the traffic.

Ms. Conner asked what the anticipated operating hours are.

Mr. Watson said that the students would arrive between 8:30 and 9:00 a.m. and leave between 3:00 and 3:30 p.m.

Ms. Sexton asked if there were any particular New York State rules that apply to schools under the sprinkler system, because the Montessori School cannot have more than ten students because they do not have a sprinkler system. She said that she would like an answer to that.

Mr. Leonard stated that in Mr. Gainer's absence, he would read aloud some of his memo submitted to the Board.

Ms. Jainchill said that she spoke with Mr. Watson's landscape architect. She said that in terms of ADA access on the site, the Board may want to require ADA access to the play structure/swing set. Ms. Jainchill said that where the exit is from the site, the applicant may want to think about some sort of a traffic control there – meaning a stop sign, and take a harder look at the geometry. She said that the fencing was pushed back onto the site, which makes it less intrusive on the public space. Ms. Jainchill said that they should provide information on the height and color of the play structure. She requested that a list of the trees that are being removed – sizes, conditions, etc. for clarity, which should be provided in the chart on the plan.

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Mr. Watson said that he had no objection to the handicapped access being extended out to the play structure. He said that there is so little traffic on the road that his personal opinion and experience is that they don't really need a stop sign to stop the traffic on Moffat Road, but they'll check to see if that makes any sense.

Ms. Finger said with regard to the overflow parking area, she was wondering if any of the drainage could actually be managed to be run into a rain garden.

Mr. Watson said that his sense was that they didn't need anything over there because they are not changing anything there, but they would certainly look.

Mr. Leonard opened the hearing to the public.

Mr. Jim Olsen introduced himself and stated that his property runs along the side of Plumbush. He asked if they had looked into having the current in and out entrance widened to meet the current or future need of the school.

Mr. Watson said that they did consider maintaining the two-way traffic, but there were a couple of issues with it. He said that first of all, it's a little narrow. Secondly, they'll have buses, which would have turning movements to do. Mr. Watson said that they would double their conflicts on Route 9D, where they could relieve them by coming off Moffat Road. So they did consider that, but thought it would be much better traffic flow and much easier to manage.

Mr. Olsen asked if there were any speed bumps along the road.

Mr. Watson said no. He said that if the Board wanted a speed bump, he didn't think they'd have a problem with it.

Mr. Gordon Casement of Moffat Road introduced himself. He said that they were talking about widening. The road now is fairly close to the property line. Mr. Casement said that Mr. Watson wants to put additional trees in there for a buffer and asked if because of that, they would widen it in the other direction – toward the lawn area and in which case, the building would remain.

Mr. Watson said that the one building (pointed out on plan) would stay, as there's enough room between the property line to widen it and thicken the trees, etc.

Mr. Casement said in addition to the seventy-five students, they also have faculty, administration, maintenance, etc., and said probably another twenty cars or so.

Mr. Watson said more like eight or ten – not a big staff.

Mr. Casement said that it adds to the traffic flow as well. He said that there are several walkers/joggers/bikers that enjoy the pathway every day.

Ms. Watson said that obviously, they would have to stop and let them go by. He said that there will be those conflicts. Mr. Watson said that this is not a high volume use by any means.

Mr. Casement asked what draw it would have on the water table for neighboring properties with the number of children/staff, etc.

Mr. Watson said that it is about fifteen gallons per student per day.

Mr. Casement asked if there was any restriction with regard to subleasing out the space, etc. in the beginning, before the school's enrollment adds up.

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Mr. Watson said that it's been represented that it would be for educational purposes and will not be just a free for all.

Mr. Casement asked if this application has been submitted to Putnam County for approval.

Mr. Watson said that would be done after the public hearing.

Ms. Teresa Olsen introduced herself and said that they're impacted the most. She said that this road (pointed out on plan) had never been used for weddings. Ms. Olsen said that except for a delivery truck or an employee once in a while, it was very quiet and they are not happy with the traffic coming in. She said that they have been there for twenty-two years and could see it really getting messy.

Mr. Zuckerman made a motion to close the public hearing. Ms. Conner seconded the motion. The public hearing was closed. The vote was as follows:

Michael Leonard	-	In favor
Kim Conner	-	In favor
Mary Ellen Finger	-	In favor
Anthony Merante	-	In favor
Pat Sexton	-	In favor
Neal Zuckerman	-	In favor
Kerry Meehan	-	Absent

Mr. Merante made a motion that the Board declare itself Lead Agency under SEQRA and refer the application to the County for 239M. Ms. Sexton seconded the motion. The vote was as follows:

Michael Leonard	-	In favor
Kim Conner	-	In favor
Mary Ellen Finger	-	In favor
Anthony Merante	-	In favor
Pat Sexton	-	In favor
Neal Zuckerman	-	In favor
Kerry Meehan	-	Absent

**Arthur Fisher – Approval of access and site plan application for minor project – 19 Sky Lane, Town of Philipstown: Resolution of Approval**

Mr. Merante made a motion that the Board adopt a Negative Declaration under SEQRA for the above-stated application. Ms. Finger seconded the motion. The vote was as follows:

Michael Leonard	-	In favor
Kim Conner	-	In favor
Mary Ellen Finger	-	In favor
Anthony Merante	-	In favor
Pat Sexton	-	In favor
Neal Zuckerman	-	In favor
Kerry Meehan	-	Absent

Mr. Leonard said that the Resolution would be conditional based on the conditions outlined from 3A through E. He asked if the Board understood/wished to discuss anything.

The Board agreed with the conditions.

Mr. Merante made a motion that the Board approve providing conditions 3A through E are met. Ms. Conner seconded the motion. The vote was as follows:

Michael Leonard	-	In favor
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Kim Conner	-	In favor
Mary Ellen Finger	-	In favor
Anthony Merante	-	In favor
Pat Sexton	-	Abstained
Neal Zuckerman	-	In favor
Kerry Meehan	-	Absent

**Miscellaneous**

Announcements

- Mr. Leonard said that he had spoken to Board member, Kerry Meehan’s wife, who said that they are hopeful Kerry makes a full recovery and that he is out of the hospital.
- September 24, 2013, the Fish Library is holding Flood Training Session from 6:00 to 8:00 p.m. Mr. Leonard said that these are critical for Planning and Conservation groups to attend..
- October 16, 2013, there will be a stormwater workshop at Dutchess Manor. Ms. Conner said that she is planning to attend.
- Ms. Finger stated that they have grants to encourage communities to develop smart group planning and to use renewable energy – basically wind turbine and other alternative energy issues that aren’t really that well clarified in zoning. Mr. Leonard said that they could look into it, as it was a good idea and clearly applicable to the Comprehensive Plan.

**Adjourn**

Mr. Merante made a motion to adjourn the meeting. Ms. Sexton seconded the motion. The meeting ended at 8:20 p.m. The vote was as follows:

Present:	Michael Leonard, Chairman Kim Conner Mary Ellen Finger Anthony Merante Pat Sexton Neal Zuckerman Steve Gaba, Counsel Susan Jainchill, Planner
Absent:	Kerry Meehan Ron Gainer, Engineer

Respectfully submitted,

Ann M. Gallagher

Note: These minutes were prepared for the Philipstown Planning Board and are subject to review, comment, emendation and approval thereupon.

Approved: \_\_\_\_\_