

# **New Haven Planning Board Minutes**

## **Held December 20, 2023**

### **Call to Order**

Chairperson Karen Valentino called the December 20, 2023 meeting to order at 6:12 pm at New Haven Town Hall.

### **Roll call**

- Present: Karen Valentino, Mike Cutuli, Cindi Giovio, Melissa Windey, Allen Chase
- Absent: Linda Bond-Clark, Sue Ann Teifke
- Also in attendance: Rebekah Prosachik, Attorney for the Town; Bettie Jo Cronk, Secretary to the Planning Board; Herb Hawker, Town Constable, and some members of the public

Linda Bond-Clark was not in attendance tonight, however Karen Valentino commented on Linda's tremendous contribution over the years to the Planning Board. The Planning Board wishes her the best. Linda's term as a board member ends this month.

### **Approval of Previous Minutes**

Motion by Allen Chase, second by Mike Cutuli to accept the November 15, 2023 minutes with the following changes:

#### **Page 4, Circle T - Application for Amended Site Plan Review:**

Sand and gravel are delivered to the plant by other companies, as many as 10-15 times per day during the summer season.

Karen Valentino, Aye. Mike Cutuli, Aye. Cindi Giovio, Abstain. Melissa Windey, Aye. Allen Chase, Aye. Carried.

Motion by Karen Valentino, second by Mike Cutuli, to table approval of the November 29, 2023 minutes.

Karen Valentino, Aye. Mike Cutuli, Aye. Cindi Giovio, Aye. Melissa Windey, Aye. Allen Chase, Aye. Carried.

## **Old Business**

### **Circle T - Application for Amended Site Plan Review**

*Note: Cindi Giovo recused herself from this portion of the meeting.*

There are three parts of the application to be considered that are under discussion by the board.

Construction of a new silo – there will be no dramatic change to the footprint of the current site plan. The new silo allows for the storage of a different type of material.

Hours of operation – Change of hours being considered by the board are Monday through Friday from 6 am until 6 pm, Saturday 6 am until 2 pm and closed on Sunday. In addition to the hours of operation, there has been discussion on allowing an additional thirty (30) minutes before and two (2) hours after these operating hours to allow for ancillary preparation. Ancillary preparation would not include batching of concrete, deliveries to and from the plant, or use of the loader or other equipment to load stone or other aggregate materials.

Change in Truck Travel Direction – Request to remove the restriction on the direction of travel to allow all vehicles to travel either north or south when coming to or leaving the plant. A sign was previously in place regarding “local deliveries” but was taken down. The board will look into having the sign put back up. Traveling south from the plant is a straight shot drive leading to a stop sign. A large number of vehicles are traveling to and from the plant and there have been no issues or accidents that have occurred when traveling in this direction.

Highway Superintendent, Robert Parkhurst, was invited to attend tonight's meeting to discuss any impact, or lack thereof, on the condition of Darrow Road since operation began at the plant in 2021. After a year of operation, they were to review the road conditions. He states there have not been any additional repairs or patching of the south end of Darrow Road, and the increase in traffic has not created any expensive repairs or damage to the roads. The water issues that exist in the area in front of the plant have always been an issue, prior to the plant. Circle T is addressing the issues. There have been several businesses on Darrow Road throughout the years and trucks have traveled north on the road in the past and present. Tractor trailers travel many town roads without restrictions. Town of New Haven trucks travel on the roads with 40 tons of weight. There is currently a weight limit of eight (8) tons on both of the bridges on Stone Road and Soper Mills Road. There are no limits on Lily Marsh Road. Soper Mills Road is scheduled to be paved this year. He doesn't think Circle T would travel north on Darrow Road often. The Town can petition to have the speed reduced on Darrow Road.

Allen Chase raised concern regarding the ability of the Planning Board to exercise control over the Town Road under traffic laws and the site plan review law. The highway superintendent can exercise control, the Planning Board can make requests to him or the Town Board.

There was discussion regarding the ability of the Town Board, Planning Board and Highway superintendent to exert control over the various roads in the town. The Highway superintendent can post signs on town roads and the Town Board can make requests to the superintendent or the state or county. The Planning Board can make requests as well. The Planning Board has the ability to put restrictions on entities pursuant to the site plan law.

Melissa Windey stated that the applicant's requests should be heard and decided based on the information provided and questioned the ability of the Planning Board to deny based on the information and the powers of the board.

Karen Valentino stated that there have been no issues thus far and the travel restrictions are working. There are limited options available for travel and safety concerns to consider, which is how the current conditions were approved.

Motion to was made by Mike Cutuli, second by Allen Chase to approve a modification of the site plan to allow the placement of the second silo per the amended site plan.

Karen Valentino, Aye. Mike Cutuli, Aye. Melissa Windey, Aye. Allen Chase, Aye. Carried.

Motion was made by Karen Valentino, second by Mike Cutuli, to approve a modification of the site plan hours of operation to new year-round hours of operation Monday through Friday from 6 am until 6 pm, Saturday 6 am until 2 pm and closed on Sunday; an additional thirty (30) minutes before and two (2) hours after the hours of operation for ancillary preparation. Ancillary preparation would not include batching of concrete, deliveries to and from the plant, or use of the loader or other equipment to load stone or other aggregate materials.

Karen Valentino, Aye. Mike Cutuli, Aye. Melissa Windey, Aye. Allen Chase, Aye. Carried.

Motion to amend the road restrictions was made by Allen Chase, second by Melissa Windey as follows: Commercial vehicles shall be permitted to travel in either direction on Darrow Road unless otherwise restricted by action of the Town Highway Superintendent, the Town Board, or any other local, state or federal authority authorized to post weight limits restricting the type and weight of vehicles allowed to utilize Darrow Road, or otherwise restricting access to local deliveries only.

Karen Valentino, No. Mike Cutuli, No. Melissa Windey, Aye. Allen Chase, Aye. No action taken.

Motion made to approve the first two parts of the application, which include construction of the silo and the time restraints; and to table the third part which includes the direction of road travel was made by Mike Cutuli, second by Allen Chase.

Karen Valentino, Aye. Mike Cutuli, Aye. Melissa Windey, Aye. Allen Chase, Aye. Carried.

*Note: Cindi Giovo returned to the meeting.*

### Site Plan Review – Article III

Tabled.

### **New Business**

#### Twin Tech Auto & RV, Inc. - Application for Proposed Development

Applicants would like to move their current operational business, Twin Tech Auto & RV, Inc., from its current location at 683 County Route 1, which is also their residence, to 21 Leavitt Road. The hours of operation are by appointment only on Monday and Thursday evenings and Saturday mornings. The business is primarily a mobile repair business and primarily provides onsite repairs for its customers. They have been in operation since 2014. There is already a garage at 21 Leavitt Road which would be used to service RVs on site and storage. The applicant's submitted application contained the required forms, survey with appropriate details and information and the completed Short Environmental Assess form was provided.

Motion to accept the application as complete was made by Allen Chase, second by Cindi Giovo.

Karen Valentino, Aye. Mike Cutuli, Aye. Cindi Giovo, Aye. Melissa Windey, Aye. Allen Chase, Aye. Carried.

Motion to declare lead agency was made by Cindi Giovo, second by Mike Cutuli.

Karen Valentino, Aye. Mike Cutuli, Aye. Cindi Giovo, Aye. Melissa Windey, Aye. Allen Chase, Aye. Carried.

*Short Environmental Assessment Form (EAF), Part I* was read by Karen Valentino and reviewed by the Board. The questions were answered but corrections were required to question 5(b) from yes to n/a; and question 8(b) and (c) from yes to no. The applicant acknowledged and initialed the changes.

Motion to declare a Type II action was made by Allen Chase, second by Mike Cutuli.

Karen Valentino, Aye. Mike Cutuli, Aye. Cindi Giovo, Aye. Melissa Windey, Aye. Allen Chase, Aye. Carried.

Motion to hold a Public Hearing on January 17, 2024 at 6:00 pm was made by Mike Cutuli, second by Cindi Giovo.

Karen Valentino, Aye. Mike Cutuli, Aye. Cindi Giovo, Aye. Melissa Windey, Aye. Allen Chase, Aye. Carried.

#### Samual LaLonde II - Application for Variance

The applicant would like to rebuild a seasonal camp into a larger, year-round residence with an attached garage at 52 West Shore Oaks Drive. The house would be approximately 2,000 square feet and the garage would be 700 square feet. The proposed new house would only be five (5) feet from the property line to the east. The current structure is only six (6) feet from the

east property line and will be torn down. The property to the east has a camper, no home. The property to the west contains a home that is five (5) feet from the common property line. The new home would be further from the lake than the current structure. A variance of more than 50% is requested on both sides and front of the property.

The survey provided is unclear and hard to distinguish between the location of the existing structure and the proposed structure. Dimensions are missing. The applicant was advised that new sketches will be needed of the current and proposed structures to scale/on graph paper with all dimensions.

The applicant was also encouraged to review the dimensions of the proposed house and of concerns regarding the request for variances of more than 50%. There are differences in the requirements when rebuilding on the same footprint versus expanding the existing footprint when variances are reviewed.

Tabled.

## **Reports**

### **Tree Orders**

The DEC website does not show flowering dogwood trees as available for order in 2024. Bettie Jo has sent an email to confirm if this is correct. If unavailable, the Planning Board will need to decide how the order should be placed, as it was the second most requested species. An order of a minimum of 25 of a species needs to be placed. Ordering begins January 2<sup>nd</sup>. An update will be given to the board when a response is received to determine how to proceed.

## **Adjournment**

With no other business before the board, a motion was made by Allen Chase, second by Karen Valentino to adjourn the meeting at 8:54 pm. All in favor. Carried.

Respectfully submitted,

Bettie Jo S. Cronk

New Haven Planning Board Secretary

POSTING ON WEBSITE DISCLAIMER: THESE MINUTES HAVE NOT YET BEEN APPROVED BY THE PLANNING BOARD. PLEASE REFER TO NEXT MONTH'S MINUTES FOR ANY AMENDMENTS, CHANGES, OR MODIFICATIONS AND APPROVAL.