

**TOWN OF WASHINGTON PLANNING BOARD
APRIL 7, 2015**

The monthly meeting of the Town of Washington Planning Board was held on April 7, 2015 at the Town Hall, 10 Reservoir Drive, Millbrook, New York.

Members Present: Laura Briggs, Donald Hanson, Ed Jorgensen, Paul Schwartz, James Shequine, also planner/consultant Neil Wilson, David Greenwood, Conservation Advisory Commission, chairman.

Board member Hanson opened the meeting with the Pledge of Allegiance at 7:36 P.M., spoke to the Chairman Mackey e-mail relative to being recused from the Mabbettsville Market application, that he will be absent for tonight's meeting, that board member Paul Schwartz was to chair the meeting. Since Paul is not here presently appears he did not receive the e-mail.

The application of Blue Barn Bed & Breakfast (formerly the Cat in Your Lap B&B), 60-62 Old Route 82, (Joan LaCasse) request is for a special permit to operate a bed and breakfast in the main house, also to utilize the carriage house 1st floor for rental, the 2nd floor for office space.

Dutchess County Tax Map Grid No. 6764-01-331665

Joan LaCasse, 38 Route 343, appeared before the board for review of the application materials submitted for the Blue Barn Bed & Breakfast. Previously submitted to the board were completed

Planning Board Combined Application Form, Short Form Environmental Assessment Form, drawing of proposed wooden sign, drawings of 1st floor and 2nd floor plan, carriage house 1st floor plan, completed Application to Dutchess County Health Department, copy of Race Septic letter dated December 16, 2014, Statement of Amenities Available to Guests at Blue Barn B&B.

Ms. LaCasse appeared before the board to give an update on her application, said she submitted her application to the Board of Health, is waiting to hear back from them, spoke to Scott Michael who found the old records and Special Permit of the Cat in Your Lap, said it looked "very simple and straight forward." He will contact Ms. LaCasse to do a walk through of the facility.

Ms. LaCasse said she is submitting a Building Permit Application for renovations for which she has the plans. Ms. LaCasse has contacted an electrician, plumber, contractor, is hopeful that she can have all the work completed for an opening in August, September at the latest.

Consultant Wilson questioned what type of renovation work is being done? Ms. LaCasse said there are two bathrooms in the house that are going to be gutted, they are outdated and will be

replaced with new bathtubs, showers, interior work. The interior is beautiful just needs some cosmetic work such as plaster, molding, painting. The major work is in the bathroom.

Consultant Wilson questioned if Ms. LaCasse is making any exterior changes? Ms. LaCasse related that there will probably be one exterior change. Facing the property from the road, towards the back of the house on the right, is the Finger property. There are two peaks that are in an M shape on the back roof, those are the roof areas of the two bathrooms that are being renovated. They create a valley which has a little bit of rot on the edge because of the design. The thought is to remove those two peaks, create one peak, on the outside that will raise the roof internally for the bathroom creating a cathedral type ceiling.

Consultant Wilson questioned if Ms. LaCasse is rearranging, relocating, the driveway? Ms. LaCasse said no, nothing like that, the plan seems ready to move forward. She has gotten a lot of positive feedback from the people in the community to whom she has spoken, that it will be a nice new business to bring forward and continue. Ms. LaCasse said she met the former owner, Madelyn Berensmann sister and husband who were at the closing of the sale of the property, have said they have a good feeling that this is going in the direction that they would have wanted it to be. Said, she searched Google about Bill Berensmann to obtain information to know as much as possible about the people who formerly owned the building, there is a utube video that his students (he is an architectural professor at Columbia) gave a tribute to him with pictures of him painting the porch so she got a good idea of who they were. Ms. LaCasse said she knows this is not pertinent to the application but wants to bring this information forward because she wants to preserve this history about the property as much as possible since they were such good people living in the community.

Board member Hanson questioned if Building Inspector Neubauer is involved at this point? Ms. LaCasse said she left a message for him that she would like to meet with him on Friday morning to discuss the specifics on the work that she is doing, attempted to contact him a number of times. Board member Hanson questioned if she is working on a survey map? The survey map has been completed by Brian Houston, L.S., historically there has not been an accurate survey on record of the property after 1870. Brian has called this a chain and link survey. Ms. LaCasse attorney was somewhat concerned, what Brian did was to take the deeds of the neighboring property, went by those, instead of 1.67 acres, the property is 1.53 acres. Board member Hanson questioned if she submitted a copy of the survey? Secretary Caul said no copy of a survey has been submitted, requested three copies of the survey map. Ms. LaCasse questioned if she can drop them off on Friday when she meets with Building Inspector Neubauer. Consultant Wilson remarked that the survey aside from showing the boundary line will show the improvements such as locating the house, the garage, other improvements, the location of the driveway. That forms the baseline for the site plan portion of the special permit. The special permit that has to be issued by this board after a public hearing would be based on the site plan, “the stuffings on the ground” is referred to

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as an asbuilt, as the improvements were built, shown on the ground, this is what the board really needs, this becomes the site plan. If Ms. LaCasse decides in going forward, that she wants to add or enlarge the house or add a garage, something to the B&B would need to return

to the Board to receive site plan approval for those improvements. Ms. LaCasse said she does not anticipate anything like that but who knows. Ms. LaCasse, at her initial meeting with the Board said she would like to have an antique shop on the premises, she still plans on doing that, has the space that is existing, forgot about putting this on the application. Consultant Wilson said Ms. LaCasse can always return to the board to do that, she has the survey map would just need approval.

Board member Hanson remarked about Tim Race inspecting the existing septic system. Ms. LaCasse said he cleaned it out, inspected everything, it is in good condition. Ms. LaCasse said Central Hudson has been on the site to check the wires, trees, is having some tree removal done, area by the road is a little congested around the telephone pole. Dan, Millbrook Fencing, is coming on site Saturday to help her with Brian Houston to see where she can establish putting up along the boundary of the property. She is concerned about the dogs but is going to think positive, in hopes that good fences make good neighbors.

Board member Hanson questioned consultant Wilson if he read the CAC Report? Consultant Wilson acknowledged affirmatively, Ms. LaCasse is not making any exterior changes to the site so the board can go forward with the plan as presented with the understanding if she were to come back in at some later point in time, want to move the driveway or add to the driveway, add some other improvement, would have to go through the process of delineating the water course, would need a permit at that point for that improvement. Ms. LaCasse acknowledged, said where the little parking area is located runs along the stream along the property line, wants to put some type of fence there. If someone comes in at night, is very dark, doesn't want someone to go to the end into the stream, wants to make some type of safety element. Said, at some point wants to improve the exterior of the home but is concentrating on the interior first. Board member Shequine remarked that there are alternatives to fences that do the job for what she is trying to do.

Ms. LaCasse said there is one thing that she has to make a decision about, is not sure what she is going to do along the road where there is an existing fence that is in poor condition, is a stockade fence, is considering carrying that along because she would like to offer persons to eat outdoors on the large front porch that connects to what will be the dining room, can have two small tables by the garden, would like it to be a little private from the road. Doesn't know what the conditions are for doing that because it is relatively close to the road but there are trees there as well. Doesn't know what type of permission is needed to do that. Consultant Wilson said this is the kind of a change that would be shown on the site plan, if she wanted to put a fence up in a particular location that would be shown on the plan, Brian Houston could draw it, indicate that it is a proposed fence. She would need to make a decision about that before she delivers the copies of the site plan on Friday where she is going to locate it. Once she has received an approval she can either do it or not, if she decides she doesn't want to go forward with the fence at least she has the permission of the board to go

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ahead and do that. Brian needs to hand draw that on the survey, it is his survey, the State Education Law does not allow anyone else except the preparer of the survey to make an alteration to it.

The Board set a public hearing on this application for May 5, 2015. Secretary Caul related that adjoining neighbors five hundred feet from the property line will receive a copy of the public notice that is published in the Poughkeepsie Journal as a legal notice.

Fee Status: \$400.00 Special Permit Application Fee Paid
400.00 escrow fee due

The application of Mabbettsville Market Site plan, Special Permit & Wetlands Permit, 3809 Route 44, Mabbettsville, (Richard Rennie, P. E., Rennie Engineering Design PLLC) is for a special permit, wetlands permit, to operate a mixed facility to serve as a local food market with thirty (30) seats for on premise consumption of prepared food, also, to have the ability to provide off-site catering for small parties. The property is zoned HM.

Richard Rennie, Jr. P.E., Rennie Engineering Design PLLC project engineer appeared before the board representing the owners on the project.

Board member Paul Schwartz spoke about his meeting/discussion attendance two weeks ago at Dutchess County Cooperative Extension. Two items were discussed, 1) in the case of a rain garden installation, is wonderful, but what happens to it down the road? A comment was made by a gentleman who was running the Continuing Educational Course, indicating flow rates reflecting the volume of flow, doesn't know if there is a difference on the Site Plan 2) anticipated maintenance - Mabbettsville Market is setting up this great thing in the beginning so that down the road it is being maintained. The suggestion was to be made part of the maintenance agreement that is being proposed for the septic system so that both get done, both get tied to the lease as a contingent requirement for the maintenance lease agreement. In the event of default under that it would kick off default under the lease. That was the recommendation.

Mr. Rennie said that the Operation and Maintenance Plan that he submitted to the Board already was focused a lot on the waste water system because that was what everybody was concerned about, he did have the stormwater plan tied into that with the rain garden and the sand filter as well as overall site maintenance put into that. Attorney Rappleyea said he would take that document, have the owner tie that into lease, just staple that right to the lease, that they had to follow. Board member Schwartz said the gentleman's comment was that it should be on the Site Plan, that it be a requirement of Site Plan approval. Mr. Rennie said he can add it to the Site Plan as a note, is not going to put the entire document on the Site Plan. Mr. Rennie remarked that there has to be some way to make sure that these things are maintained, that is a struggle when it comes to stormwater practices, making sure that you are identifying
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that somebody is going to maintain it.

Consultant Wilson said he provided Mr. Rennie with a copy of the draft Resolutions, **on the Special Permit Resolution and Site Plan Approval, page 3, item 4, line 2, he suggested to**

strike the words septic system and replace with treatment unit, line 3, change the word was, to is. Consultant Wilson is okay with that, thinks the new language is a little more favorable, he was attempting to show that there was plenty of capacity within the system, has a rated volume

of fifteen hundred, they have a design flow of 960, they are well under the capacity. Mr. Renna said he didn't want anyone to be confused with the fact that the treatment unit that was talked about has a higher capacity but the system for going into the ground are only proposing the absorption system part of it as 960. Board member Schwartz questioned if this is in compliance with the letter that was sent around from the Board of Health relative to the meeting? Mr. Renna said yes, everything is in compliance with that letter. Mr. Renna said he wanted it to be clear because once these Resolutions are approved a copy is sent to the Department of Health, when they read them wants everything to be clear. Everything in that letter comes down to the fact of how Mabbettville Market runs the numbers with the 33% reduction that is available from the State, but also adding in a 50% expansion, comes down to that one area of ground to use, it will be the same area of ground, he likes the absorption beds but the Department of Health may prefer that he put in trenches. If he puts in standard absorption trenches then he would get a little closer to the building with them, everything would still be in the parking lot, but from that letter has to "hammer out" with the Department of Health as far as the absorption bed vs the trenches, and which waivers. Mabbettville Markets is getting waivers from the Department of Health to be able to get this on that site, they do that in circumstances where something was there already or you have an undersized lot, there is no possible way to do anything else. He is working this through with the Department of Health.

Consultant Wilson next referred to the Special Permit Resolution and Site Plan Approval page 1, 2nd **Whereas, change to the Dutchess County Planning Department did not return a recommendation within 30 days of the date of referral; and** (Consultant Wilson said he hand delivered a copy the Site Plan material about two months ago, has not heard from them, they have 30 days to respond, they have not commented so the Board is free to act. Said, he believes Nola Hooper who was assigned to the Town was retiring about that time, thinks it got lost in the shuffle) Mr. Renna referred to the Zoning Board of Appeals Zoning Referral being responded to as "A Matter of Local Concern", assumes that it would not be different.

Board member Jorgensen called for a motion to adopt the Negative Declaration. **A motion to adopt the Negative Declaration Notice of Determination of Non Significance was made by board member Briggs, seconded by board member Paul Schwartz. 5 ayes, 1 absent, 1 recused.**

Board member Paul Schwartz questioned if the limitation for the twelve outdoor events needs to be included on the Special Permit? Consultant said it is noted on the Site Plan, has the limitations on seating, employees, hours of operation, including accessory structures.

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A motion to grant Special Permit, Wetlands Permit, Site Plan approval to the Mabbettville Market Application was made by board member Paul Schwartz, seconded by board member Briggs. 5 ayes, 1 absent, 1 recused.

Board member Jorgensen spoke to Mr. Rennias presentation as being spectacular, he has been with board presentations for almost forty years, this has been a good a job as he has ever seen. Said he learned a ton from Mr. Renna, enjoyed learning about the new technologies he talked about that he was not familiar with. Board members were in agreement.

A motion to adjourn the meeting was made by board member Hanson, seconded by board member Paul Schwartz. The meeting was adjourned at 8:20 P.M.

Respectfully submitted,

Nikki Caul, secretary

