

**Town of Washington Planning Board
Millbrook, NY 12545**

The monthly meeting of the Town of Washington Planning Board was held on March 5, 2019 at 7:30 P.M., the Town Hall, 10 Reservoir Drive, Millbrook, New York.

Members Present: Chairman, Paul Schwartz, Ed Jorgensen, Bob Kulpa, also ZBA Chairman, John Parisi, Howard Schuman, Conservation Advisory Commission Representative.

Chairman Schwartz opened the meeting with the Pledge of Allegiance at 7:41 P.M., announced a change in the agenda order, Evangelical Free Church application will be heard first.

The application request of Evangelical Free Church Site Plan, 20 Shepherds Way, Clinton Corners is to build a new 76x50 sanctuary addition to the existing Upon Lake Christian School owned by Evangelical Free Church. The property is zoned RL 5. **Dutchess County Tax Map Grid No. 6566-00-648951**

Brian Bovee, Bovee Construction Co., Inc., 6 Dill Lane, Poughkeepsie, NY appeared before the board. Introduced himself as a builder retained by Evangelical Free Church to work with them relative to the design, building and planning their sanctuary addition to the existing building. Previously submitted to the board, completed Combined Application, Short Environmental Assessment Form, large scale Site Plan.

Brian said this might also be referred to as Upton Lake Christian School, described the proposal as a smaller addition than what was approved in '09 as a major addition but was never built. Review of the '09 site plan maps with application that was submitted and approved by the Planning Board followed. Brian explained that the '09 proposal added on a 150x93 separate school building, plus adding a second story to the building. The current proposal is not in the same location, is the same property, same building, but a different location of adding the addition and a much smaller addition. Brian expressed that he is not familiar with the '09 proposal, was just given a quick briefing by secretary Caul. It appears that they were proposing a new church building with a second floor, a school to be added on as well.

Chairman Schwartz referred to Brian mentioning the Town of Clinton. Brian said the property falls on two parts, where the building is located it is 142 ft. from the property line. Chairman Schwartz said the pond is located in the Town of Clinton, questioned if there is a wetland setback from the Town of Clinton pond? Brian said

it is his understanding where the stream is there is a heartwood buffer. Chairman Schwartz questioned where the 100 ft delineation from the pond is? Questioned if the Town of Clinton has a wetland ordinance? Questioned if the pond is local, it is not Federal, needs to check with the Town of Clinton if the pond is a State pond. Brian said he doesn't have that knowledge at this time.

Chairman Schwartz stated that the Board needs to notify as declared Lead Agency since two townships are involved in this application. The towns of Clinton and Stanfordville are to be notified that the Town of Washington Planning Board has declared itself Lead Agency. Brian said the property is 500 ft from the Salt Point Turnpike. Secretary Caul stated that one set of application materials for each town are to be sent with the notification letter.

Chairman Schwartz requested Brian to locate and show the well on the site plan, show that there is adequate parking related to the proposed use, put the parking calculation in the site plan legend. Suggested that Brian check the Town Zoning Code, Section 372 relating to adequate parking. Brian said they are not planning on increasing the population, presently there are 210 in the congregation. They just want to move into a permanent location. For the last fifteen years they have been meeting in the gym, every Sunday morning chairs are set up, in the afternoon the chairs are set back down. Board member Jorgensen said most parking calculations are based on per square foot. Board member Kulpa said for every four feet, one parking space is required. Chairman Schwartz read the Town Zoning Code, Section 372, "the minimum number of off street parking spaces required shall be as set forth in the Off-Street Parking and Loading Schedule, except for single family dwellings, no parking area shall be established for less than three (3) vehicles." Next referred to Appendix C, Off Street Parking and Loading Schedule, Places of Public Assembly- one for each four seats"

Brian is to check with the Board of Health if additional bathrooms are to be added. If Board of Health approval is required needs a letter from the Board of Health. Brian remarked that the architect reviewed the calculations for the square footage of the building, the number of persons occupying the space, the number of existing bathrooms. It is his understanding that no additional bathrooms are needed they have enough facilities.

Town height regulations of 35ft were discussed, if exceeded may need a variance from the ZBA. For obtaining a variance will need approval from the East Clinton Fire Department that services the grid lock, issuing a waiver so that the ZBA could grant the variance. Chairman Schwartz requested a pdf be sent to secretary Caul to forward.

Secretary Caul quoted site plan and escrow fees due.

Brian is to return to the April 2, 2019 meeting.

The application request of Millbrook Study Barn (Lee Buchheit) Site Plan, Special Permit and Wetlands Permit, is to restore/reconstruct the original barn with new studio, add a greenhouse/solarium adjacent to the restored barn. The property is zoned RL 5. **Dutchess County Tax Map Grid Nos. 6665-00-675057, 6666-00-634043.**

Andrew Tesoro AIA, Tesoro Architects, New York City, appeared before the board representing the applicant. Submitted revised drawings, additional changes, were reviewed by the Board and Andrew Tesoro that included Standard Specifications for Silt Fence, Sun Power Solar Boards brochure, area calculations of original barn, barn, garage, calculations of CULTEC chambers for residential drainage, standard of roof coatings. (on file)

Chairman Schwartz stated that under New York DEC, Section 647.5c this application is classified a Type II Action requiring that a Negative Declaration Determination of Non Significance be issued. **A motion to classify this application a Type II Action and issue a Negative Declaration Determination of Non Significance was made by chairman Schwartz, seconded by board member Jorgensen. 3 ayes, 1 proxy vote by board member James Cornell.**

Chairman Schwartz said as a result of this Negative Declaration Determination issuance applicant is to appear before the ZBA for a variance for their specific request. Secretary Caul stated that the ZBA public notice for March 19th is set to be emailed to the Poughkeepsie Journal and adjoining neighbors to be notified.

Andrew Tesoro gave points of clarification on the plans, said, on the plan they indicated drainage to a dry well, on the drawings indicated all the gutters, clarified the manner the water moves. Also, have indicated that there shall be no bedrooms within the new construction. Also clarified that the roof is a metal roof, included a diagram to clarify what is old, what is new construction. Said, the barn addition is 240 square feet. Has shown that to clarify that they are well within the provision Town Code, Section 391 that indicates that the addition of a solarium structure is considered less than the twenty five percentage allowable.

Howard Schuman referred to the date 1971. Andrew Tesoro said 1971 is the date referencing the Code, that it was built before 1971. Chairman Schwartz disagreed, said

this is applicable under the barn code, is determined what the board just issued, that there is an accessory structure to the house, has nothing to do with the fact that it was a barn. It is an accessory structure, they are making an addition to an accessory structure less than 4,000 sq ft. , is classified a Type II Action.

Howard Schuman referred to the wetlands ordinance saying that the structure addition calculated has to be the footprint of the structure as it was in 1971. Howard said he reviewed Parcel Access, part of the mass calculations of what was there in 1971 appears to be the old barn. Chairman Schwartz questioned the page number on alteration of existing non conforming. Howard referred to section 391. Mr. Tesoro said he has it printed. Chairman Schwartz stated it says, “or up to the maximum lot coverage allowed in the zoning district.” Howard said he is looking at granting the size based on the 1971 footprint that was there.

Andrew Tesoro presented the photos that were reviewed at the last meeting, said, the entire structure which has now largely been dismantled of the portion that they are going to be reconstructing, was very much there in 1971. Mr. Tesoro said he referenced prior to May 13, 1971, through section 391 of the Code, believes it was established that the total square footage. not including the garage, was 1,904 sq. ft. they are not touching 996 of those 1,904 sq. ft. Howard said he is saying that all of this was there before 1971. Mr. Tesoro said that is correct. Said, he also recalculated to anticipate because they are reconstructing this a couple of feet back from the pond relative to what is was originally, that mitigates the degree of the addition of the solarium. Chairman Schwartz said there is no question that there is less of an impact than it is now.

Mr. Tesoro stated that the silt fence is indicated on the plan, the document being presented clarifies the solar panels, the area calculation diagram indicates the square footage of the original barn and proposed renovated barn with solarium, dry well specification is referenced on the drawing. Chairman Schwartz requested to make a note that all disturbance accessing the dry well will be in its original condition. Mr. Tesoro said it is noted on the drawing. Board member Jorgensen stated that this is an application that has been done right.

Howard Schuman referred to a wetlands issue about planting around the pond area, section 391 states is to be based on the 1971 ruling, spoke to Steve Marino, wetlands consultant being contacted. Mr. Tesoro said he will contact Wetlands Consultant, Steve Marino, schedule an appointment with himself and his client. Chairman Schwartz said it would be advantageous to do this before the public hearing. Secretary Caul said he can obtain contact information from her.

A Public Hearing is scheduled for April 2, 2019.

There being no further discussion, comments, business, a motion to adjourn the meeting was made by chairman Schwartz, seconded by board member Jorgensen. The meeting was adjourned at 8:45P.M.

Respectfully submitted,

Nikki Caul, secretary

