

Robert Geneslaw Co.

PLANNING AND DEVELOPMENT CONSULTANTS

Robert Geneslaw, AICP

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MEMORANDUM

TO: TOWN OF FALLSBURG PLANNING BOARD

FROM: ROBERT GENESLAW, AICP

SUBJECT: WHITTAKER ROAD LLC (FORMERLY KDJ, ADEN WOODS, RIO VISTA)
SBL#: 47-1-5.2/47-1-6/47A-1-26

DATE: JUNE 16, 2011

C: ALLEN FRISHMAN, CODE ENFORCEMENT OFFICER
DENISE MONFORTE, PLANNING BOARD SECRETARY
WILL ILLING, P.E., SUPERINTENDENT OF PUBLIC WORKS
KENNETH ELLSWORTH, P.E., KEYSTONE ASSOCIATES
RON HIATT, ESQ., PLANNING BOARD ATTORNEY
MARK SIEMERS, PE (FOR PROJECT SPONSOR)

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WE HAVE JUST BEEN INFORMED THAT THE APPLICANT HAS WITHDRAWN FROM THIS EVENING'S PLANNING BOARD MEETING.

This matter was on the agenda of the Planning Board meeting of May 12, 2011, at which time the primary discussion was directed toward the status of the approval documents and coming expiration of the Army Corp of Engineers wetland disturbance approval. We indicated that we would make a best effort to revise the EAF Part 3, originally approved some years ago to reflect the passage of time since its initial preparation by representatives of the applicant, and the changes of the proposal from a conventional subdivision, to a primarily seasonal occupancy religious oriented site plan with condominium ownership. Mr. Siemers, representing the applicant, was to prepare a clearly defined list of activities proposed to be undertaken prior to final approval or stamping the plan, hopefully to be approved at the June Planning Board meeting.

After the Planning Board meeting of May 12, as we outlined the elements of the EAF Part 3 needing revisions we realized that much background information would be required, much of which had been gathered by the applicant's consultants. We contacted Mr. Siemers, representative for the applicant, and outlined the areas that would need to be updated. The elements that will need the greatest attention are the updating of the traffic impact study and the related community services – fiscal analysis – tax revenues and costs. We are therefore

recommending the applicant's representatives review and revise the Part 3 and we will, as is the standard practice, review on behalf of the Board. We are available to discuss the approach and to identify other elements that need attention. We have discussed this with Mr. Siemers and he is contacting the client and arranging for the work to be done.

The ACOE Wetlands disturbance approval, which will expire in mid-July, is based on wetlands delineation performed in 2002. The applicant and the Board may want to consider updating the delineation based on the passage of time. ACOE approval expires July 13 unless a contractor has been engaged to perform the remediation work, as we understand the permit conditions. Mr. Siemers is arranging to have such a contract in place by July 13, which will give them an additional year to begin the wetland disturbance.

The applicant and Board should consider whether a site survey of threatened and endangered species should be undertaken based on the recent court decision involving the Town of Liberty Planning Board.

Since the prior reviews by the Planning Board, the Architectural Review Board has been established and is operating. The proposal should receive their review. This was discussed at some length at the May 12, 2011 Planning Board meeting.

In reviewing the full plan set, dated, rev. 9-14-09, provided to us on April 17, 2011, we noted a number of references, particularly in notes, "to subdivision" and "individual lot". These and some other items should be updated to reflect the change to a site plan. We will confer with Mr. Siemers regarding our plan comments and provide a separate memo to the Board for information and record purposes.

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Robert Geneslaw, AICP

MEMORANDUM

TO: MARK SIEMERS, P.E., PIETRZAK AND PFAU
ALLEN FRISHMAN, CODE ENFORCEMENT OFFICER, TOWN OF FALLSBURG

FROM: ROBERT GENESLAW, AICP

SUBJECT: WHITAKER ROAD LLC (FORMERLY KDJ, ADEN WOODS, RIO VISTA)
SBL#: 47-1-5.2/47-1-6/47A-1-26

DATE: MAY 9, 2011

C: DENISE MONFORTE, PLANNING BOARD SECRETARY

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As part of the review of the status of this project we have searched most of our files looking for prior approvals so that a determination can be made of any mitigation of approval conditions that may need to be modified to reflect the change from a conventional subdivision to a site plan.

We have had only limited success and ask that each of you review your files and if you have any of the final documents, please fax or E-Mail to us and each other;

The documents we have are as follows:

- Full EAF Part 3 – we have a draft dated 3/10/2005 but no indication if it was revised prior to Board approval.
- Negative Declaration – we have a draft transmittal dated 5/6/05 but no indication if it was revised prior to Board adoption 5/12/05. It needs revision to reflect current status.
- Preliminary Subdivision Approval Resolution – approved 5/12/05 with conditions, but we haven't located an approved version. The condition, based on our notes referenced: payment of fees, bonding, escrow for erosion control, phasing plan, list of mitigations.
- Final Subdivision Approval Resolution – found a draft dated April 2008 and the April 2008 minutes in which Mark asks for an extension until August 2008 and I did not find it back on the agenda in August 2008. Not sure if it ever was back on the agenda, please advise if you have any information or a date which it was returned to an agenda?

Thanks for your help.

§Robert Geneslaw Co.

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MEMORANDUM

TO: FALLSBURG PLANNING BOARD

FROM: ROBERT GENESLAW

SUBJECT: WHITTAKER ROAD, LLC – SBL# 47-1-5.2/47-1-6 – REQUESTS
CONCEPTUAL SITE PLAN REVIEW FOR A 196 UNIT RESIDENTIAL SITE
PLAN CONSISTING OF 86 SINGLE FAMILY AND 110 DUPLEX UNITS

DATE: FEBRUARY 9, 2016

C: MOLLIE MESSINGER, CODE ENFORCEMENT OFFICER
DENISE MONFORTE, PLANNING BOARD SECRETARY
PAULA KAY, ESQ., PLANNING BOARD ATTORNEY
WILL ILLING, P.E., SUPERINTENDENT OF PUBLIC WORKS
KENNETH ELLSWORTH, P.E., KEYSTONE ASSOCIATES
JOE PFAU, P.E., (FOR PROJECT SPONSOR)

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This memorandum is intended to provide initial comments on the Conceptual Site Plan and guidance on the SEQR review process with regard to Whittaker Road LLC.

A. Comments on the Overall Site Plan, prepared by Pietrak & Pfau dated rev. 12/10/15:

1. Duplex Law requires 175 foot undisturbed vegetative buffer along public roads. The plan shows two stormwater ponds that are wholly or partly within the 175 foot setback from Whittaker Road.
 2. The plan shows the road to the water tower at the westerly side of the property within the required 25 foot buffer.
 3. The plan shows a 25 foot undisturbed vegetative buffer along Timber Hills Estates, but General Project Note 14 on the Cover Sheet calls for a 40 foot undisturbed vegetative buffer along Timber Hills.
 4. The plan shows a portion of a stormwater pond within the 25 foot undisturbed vegetative buffer on the southerly side.
 5. Add a table showing the number of bedrooms by unit type and total number.
 6. The NYSDEC and ACOE wetlands must be redelineated and that may affect the wetland boundaries.
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7. The plan shows two visitor parking areas one along the eastern property line, the other along the western property line, both of which would allow extension of the private roads on the Whittaker Road site to be extended to adjoining parcels. The Board should consider whether this is desirable.
8. The proposed water tower is adjacent to the recreation facility. We recommend a greater separation with separate access. We also recommend that the recreation facility be more centrally located.

B. SEQR Review Process

We have begun our review of the EAF Part 1 and find areas which may require modifications/clarifications. We will provide our comments to the Project Engineer as well as Town Staff. Until the EAF Part 1 is modified and the applicant submits a site plan review application (moving from conceptual to site plan review) we recommend that the Board not circulate it's Intent to be Lead Agency as we feel it would be premature.