

MINUTES
ZONING COMMISSION
FEBRUARY 1, 2012 – 7:00 P.M.
TOWN HALL ANNEX – COMMUNITY ROOM 2

I. ROLL CALL

Present: Cady, French, Hudecek, Marquardt, O’Neill
Absent: Sutherland
Staff: Davis, Gilot

Vice Chairman Hudecek called the meeting to order at 7:00 p.m. and seated Cady for Sutherland.

II. PUBLIC HEARING

1. Special Permit #323, 231 Lestertown Road and 0 Military Highway, PIN 168906288988 and PIN 168906278786, R-12 Zone. Proposal is for 197 units of congregate living facility, 20 units of assisted living housing, 69 units of active senior housing. Review is per Sections 7.1-1 and 7.1-45 of the Zoning Regulations. (Odd Fellows Healthcare, Inc., Applicant) (CAM)*

Staff said there were a number of outstanding items that the applicant would address tonight.

Bob Emma, Ammenta/Emma Architects, reviewed the location of the mechanical units on the roofs. A handout was distributed to the Commission showing the units as they would be placed and visually screened, including a detail of the units.

Clint Brown, DiCesare-Bentley Engineers, addressed each of the items in the Planning Commission’s referral report.

The stormwater management plan was reviewed and entered into the record. The proposed road design would vary. All roads would be privately owned and maintained.

Jim Malloy, Administrative CEO of Odd Fellows, noted that on-site food services and medical care would be available to all residents of the facility. Mr. Malloy said they were unsure of the sequence of the phasing, but it would be market-driven, and probably phased over ten years.

Staff reviewed the Economic Development Committee’s referral in support of the application, the State Traffic Commission administrative approval, the third party peer review findings, the Fire Marshal and Town Engineer’s comments, and the Planning Commission’s referral. Staff also commended the applicant’s team.

Andrea Kennett, 56 Starr Hill Road, said she was concerned with the increase in traffic on Starr Hill, and the water on the Odd Fellows site.

The public hearing was closed at 7:50 p.m.

III. APPROVAL OF THE MINUTES OF January 4, 2012

MOTION: To approve the minutes of January 4, 2012 as written.

Motion made by French, seconded by Marquard. Motion passed 4-0-1, 1 abstention (O'Neill).

IV. PUBLIC COMMUNICATIONS

Staff distributed information on a Webinar by Betsy Blair on "The Hudson River Sustainable Shoreline Project" on November 6th, as well as the OPDS November zoning report.

V. CONSIDERATION OF PUBLIC HEARINGS

1. Special Permit #321, 0 Yetter Road (Whittle Earth Products Facility, Applicant)

Staff said that the Town Attorney had not yet reviewed the third option which the Commission favored at the previous meeting. A decision must be made by February 16th. The applicant granted an extension to February 16, 2012. The Commission discussed scheduling a special meeting for consideration of this application.

The Commission discussed sand for plowing operation. Staff said that was not part of the application and cannot be considered in the Commission's decision, but said the applicant could apply to the Commission to modify the permit at any time. The Commission also discussed the site access, noise, and tree species.

Commissioner Cady stated for the record that he is concerned for the neighbors because of the noise level from the shooting range.

A special meeting was scheduled for Thursday, February 16, 2012, at 5:30 p.m. in Community Room 2.

Motion to table discussion of Special Permit #321 to the special meeting of February 15, 2012, was made by O'Neill, seconded by French, and passed unanimously.

2. Special Permit #323, 231 Lestertown Road and 0 Military Highway (Odd Fellows Healthcare, Inc., Applicant)

Staff polled the Commission for particular issues to be incorporated into a draft motion for the special permit.

The Commission's concerns included the specific uses and age provisions allowed in Active Senior Housing, stipulated phasing of the project and definition of Phase 1, traffic on local roads from construction as well as operations, and that the emergency access be restricted to emergency use only.

Motion to table discussion of Special Permit #323 to the special meeting on February 16, 2012, was made by French, seconded by O'Neill, and passed unanimously.

Staff will send the Commissioners a draft motion for their review before the meeting.

VI. OLD BUSINESS

1. Discussion of proposed text amendment to Zoning Regulations Section 8.3

Staff deferred this to Report of Staff.

VII. NEW BUSINESS

1. Receipt of New Applications – None

VIII. REPORT OF CHAIRMAN – None

IX. REPORT OF STAFF

Staff said that the Chairperson would like to add an item on March's agenda "Commission Work Program for 2012". Staff said the regulation amendment update would probably be discussed at that time. Staff also expects work to begin on the POCD in the spring.

X. ADJOURNMENT

Motion to adjourn at 8:30 p.m. made by French, seconded by O'Neill, so voted unanimously.

Mariellen French, Secretary
Zoning Commission

Prepared by Debra Gilot, Office Assistant III