

**The Town of Cohecton Planning Board**  
**Public Hearing & Regular Meeting**  
July 26, 2012

Present: Earl Bertsch, Joe Manasari, George Blaso, Jim Crowley & Neal Halloran.

Also Present: Ray Ritz, George Fulton, Karl Wasner, Nick Santana, Laura Santana, Robert Stanzoni, Chris Wagner, Cindy Wagner, Noel Van Swol, Eric Van Swol, Gary Maas, Keith Allen, Liz Wingel, John Gorzynski, Greg Semenetz, Gabriel Wasner, Jim Erlwein, Jessica Erlwein and Brandon Wagner.

The meeting was opened with the pledge to the flag at 7:30PM.

A motion to approve the June 2012 minutes was made with a correction to the draft copy by Joe and seconded by George B.. All in favor with 1 abstaining (Earl) & 2 absent.

Correspondence: None

**Public Hearing:** A motion to open the Public Hearing for the Wagner Simple Subdivision was made by Neal and seconded by Joe at 7:31 PM. 2 Absent. George Fulton presented maps to the PB members. Perc tests have been completed and are depicted on the new maps. A report from Ward Engineers was distributed to the PB members. The proposed new parcel is not in a wetland area. A 5.32 acre parcel will be created leaving an existing parcel of 177+ acres. Earl opened the floor to the public, limiting comment to 10 minutes per person. Eric Van Swol ( @ 7:40 PM) stated that the information from the Wagner's proposed subdivision was incomplete. He stated that a 2 lot subdivision is required to show topography, ground cover, water courses, wooded area, manmade and natural features. Earl told Mr. E. Van Swol that the PB will determine what is required and that Mr. E. Van Swol should not tell the PB their duties. Mr. E. Van Swol stated that present plans do not depict the existing residence. He requested to see a copy of the application and the NYS Environmental Review, which was provided to him. He also requested a soil type review, as well as to view the Public Notice advertisement and proof of mailings. These were provided. Eric Van Swol requested that the Wagner Subdivision provide access to Noel Van Swol's land locked 22.5 acre parcel, which was originally purchased as a landlocked parcel (reported by Eric Van Swol). Jim stated that the Van Swols created their own hardship in purchasing the parcel and Neal stated that the PB nor the Wagner's are required to provide access to the land locked parcel. Mr. Eric Van Swol would like it on record that access to the Van Swol parcel is a concern and that 5 acres of the Wagner parcel is wetland. He also stated the Wagner's need to provide a drainage study. Neal stated that land disturbance is what is of issue and asked Mr. E. Van Swol what is his concern. Mr. E. Van Swol stated his issue is access, the driveway becoming town road in the future, sight distance study and future subdivisions. Neal informed him that sight distance was looked 10 years ago when the residence was built and the Wagner's may do what they like with their property in the future. Earl informed him that the town would not be taking the driveway as a road. Mr. E. Van Swol summarized that he would like access to the map, a wetland study, drainage study and a 25' set back from the stream and access to the land locked parcel. Earl told Mr. E. Van Swol that the PB cannot order an applicant to grant right of way and that a private road may have 3 lots (correcting Mr. E. Van Swol who stated it could have 10 lots). Earl asked if there was any other public comment at 7:57PM. Mr. John Gorzynski had 2 concerns regarding access for emergency vehicles and that the driveway be to code in case the parcels are sold to another party in the future. He was also concerned about a stream that runs year round from the Wagner's parcel onto his (8PM). George Fulton stated that the plans meet town zoning and the driveway ends in a cull de sac. Set back from the road is more than 40'. Chris Wagner reported that then CEO John Drobysh and Jason Kraack had checked the road when the residence was built to make sure it would accommodate emergency vehicles and it did. There is a deed restriction for the private road in regards to maintenance and Mr. Fulton pointed out note #7 regarding no town maintenance. Mr. Wagner reported that he will put in a silt fence during construction, so there will not be an impact on the stream and that under 1 acre of the property will be disturbed. Mr. E. Van Swol requested that the PH be held open for further comment and to review other documents. Mr. E. Van Swol reviewed the other documents requested, but was denied

keeping the PH open. A motion to close the PH was made by Joe and seconded by George B. at 8:07 PM. All in favor with 2 absent. Neal reported that he did not see any evidence of wetlands on the parcel to be created. After reviewing the NYS Environmental Review a motion of Negative Declaration was made by Earl and seconded by Jim . All in favor with 2 absent. A motion to approve the Wagner subdivision of 2 parcels (5.32 acres and 177+ acres) was made by Jim and seconded by Joe. All in favor with 2 absent.

**Old Business:**

1. Coffee Creations Special Use Permit application was discussed. It will be located at the old Cohecton Volunteer Ambulance Building on Rt 52 (SBL#10-2-40). Jim and Lauren reported that the PB has not received a response from the SC DPW regarding parking for this Special Use Permit. Karl Wasner reports that the SC DPW (Marcia Fink) had informed him that they do not want anyone backing up onto the rd (Rt 52). Laura Santana and Karl Wasner explained that the new parking plan would be no parking in front of the store, only road parking. Mr. Wasner reports that state law is that parking is permitted within the white line. Robert Stanzoni has concerns regarding store parking. Joe discussed last month's actions regarding this applicant resulting in ties and that he had counted 17 cars legally parked on RT 52 without problem. Neal expressed concerns about making a decision tonight as it would require a Super Majority due to the SC PD's decision and the PB has 2 absent tonight. Jim made a motion to approve the final plans. There was no second and the motion dies on the floor. CEO Greg Semenetz reports that the Santana's have been involved in another project in town and has confidence that they will make an improvement to the town on this project. Earl, Joe and Neal all stated they would like to see this project move ahead but will table further comment to next month's meeting . Lauren will poll the PB members to encourage a full board's attendance for the August meeting.

**New Business:**

- 1.

**Other Business:**

- 1.

A motion to adjourn was made by George B. and seconded by Jim all in favor with 2 absent @ 8:31PM.

Respectfully submitted,

Lauren H. Bunch  
PB Clerk