

**TOWN OF TUXEDO
PLANNING BOARD MINUTES
PUBLIC HEARING AND REGULAR MEETING
March 9, 2010**

BOARD MEMBERS PRESENT: Nils Gerling, Chairman
Joseph Gartiser
Mary Hanson
Susan Goodfellow
Robert Thompson

OTHERS PRESENT: Thomas Egan, Planning Board Attorney
Bonnie Franson, Tim Miller Associates
Don Sioss, H2M
Deborah Villanueva, PB Recording Secretary

Joseph & Nancy Ribando – Proposed 3 Lot Subdivision
Section 11 Block 2 Lot 1.46; File #P8608-010

Mr. Gerling stated that the applicant requested the Public Hearing be continued until the April 13th meeting.

Mr. Gerling made a motion to continue the Public Hearing until April 13, 2010 at 7:00 p.m. and Mrs. Goodfellow seconded the motion. All were in favor and the motion carried.

1.0 CALL TO ORDER

The regular meeting of the Planning Board of Tuxedo was called to order at 7:05 p.m. on Tuesday, March 9, 2009 in the Community Room of the Tuxedo Town Hall.

2.0 APPROVAL OF MINUTES

Mr. Gerling asked if there were any additions or corrections to the minutes of February 9, 2009 and there were none.

Mr. Thompson made a motion to approve the minutes of February 9, 2009 and Mrs. Hanson seconded the motion. All were in favor and the motion carried.

3.0 Sterling Forest LLC – Sterling Place – Final Approval
Section 9 Block 1 Lot 5.4; File #P9010053

Ms. Franson noted that all of the conditions discussed during previous Planning Board meetings were incorporated into the resolution and it was ready for the Chairman’s signature.

4.0 Nungin Sunwon - Negative Declaration - Approval of Site Plan w/Conditions
Section 1 Block 1 Lot 34.1; File #P8607-017

Mr. Gerling made a motion for a negative declaration and Mr. Thompson seconded the motion. Mrs. Hanson was opposed and the motion was approved by a majority vote.

Mr. Gerling asked if the Board had any questions or comments on the resolution and Ms. Franson noted one minor change.

Mr. Gerling made a motion to accept the resolution and Mr. Thompson seconded the motion. Mrs. Hanson was opposed and the motion was approved by a majority vote.

5.0 Jasmine Imports – Proposed revised retail space – Final site plan approval
Section 5 Block 4 Lot 17.1; File #P8801-001

Mr. Gerling stated that the Board was in receipt of a letter from H2M dated March 4, 2010 regarding the revisions to the site plan which indicated that they had no further comments.

Ms. Franson added that she believed they addressed the major concerns.

Mr. Gartiser made a motion for a negative declaration. Mrs. Goodfellow seconded the motion and it was approved by a unanimous vote.

Mr. Gerling made a motion to grant final approval of the site plan and Mrs. Hanson seconded the motion. All were in favor and the motion carried.

6.0 Metro PCS - Red Apple Rest Site – Cell Tower Equipment Addition
Section 5 Block 3 Lot 14.1; File #P8912-093

Mr. Gerling noted that they did receive a response from the county which provided for a local determination.

Mr. Thompson made a motion for a negative declaration and Mrs. Goodfellow seconded the motion. All were in favor and the motion carried.

Mr. Gerling made a motion to approve the application and Mr. Gartiser seconded the motion. All were in favor and the motion carried.

7.0 Metro PCS - Iazzetti Site – Cell Tower Equipment Addition
Section 9 Block 1 Lot 13; File #P8704-007

It was noted that there were no further questions or comments from the Board.

Mr. Gartiser made a motion for a negative declaration. Mrs. Hanson seconded the motion and it was approved by a unanimous vote.

Mr. Gerling made a motion for final approval and Mr. Thompson seconded the motion. All were in favor and the motion carried.

8.0 Augusta Properties - Site Plan for Renovation of Building & New Diner
194-210 Route 17 / Section 12 Block 4 Lots 2 and 3; File #P7506-001

Ms. Franson explained that she prepared the parking requirement calculations for the ZBA and noted that the ZBA granted the variance based on those calculations.

There was a brief discussion regarding the ZBA's determination and a review of the minutes from their Special Meeting on March 2, 2010.

Mr. Sioss pointed out that the water and sewer services for the diner were not shown on the plan. He added that he would also like to see the dimensions of the handicap spaces added to the plan. Mr. Sioss added that during construction he would like to see the inlets protected so that no silt could get in.

Ms. Franson discussed a few issues she had with the site plan including showing lighting and areas of ingress and egress for emergency access and adding planting notes with guarantees for a certain number of seasons. She also pointed out that they would have to appear before the ARB.

Mrs. Goodfellow asked what they planned for the style of the building and Mr. Lesko stated that he was not sure at this time. He explained that they wanted to make sure that the Planning Board was in agreement with the plan before going through the added design expenses.

Mr. O'Rourke requested that the Planning Board forward the plans to the DOT.

9.0 Adjournment

There being no further business Mr. Gerling moved for adjournment at 7:45 p.m.