



TOWN
OF

TUXEDO

ORANGE COUNTY, NEW YORK

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Building/Planning/Zoning
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TOWN OF TUXEDO PLANNING & ARCHITECTURAL REVIEW BOARD

REGULAR MEETING & PUBLIC HEARING MINUTES

Tuesday, December 5, 2023

PB MEMBERS PRESENT:

John Banyo, Chairman
William Friedlich
Chris Kasker
Ned Kugel
William Lemanski
Susan Reif
Justin Jennings, Alternate

BOARD MEMBER ABSENT:

Susan Boyle

OTHERS PRESENT:

Kelly Naughton, Planning Board Attorney
Sean Hoffman, Town Engineer (Via Zoom)
Valerie Monastra, Town Planner
Deborah Villanueva, Planning Board Secretary
Mitch Newman, Lennar
Adam Vossbrinck, Lennar
Brad Schwartz, Attorney Lennar
Steven Saputo, Langan Engineering
Christina Zolezi, Langan Engineering
Chuck Utschig, Langan Engineering
Asley Ley, AKRF

<p>Public Hearing</p>

<p>Tuxedo Farms – Upland Park – Clearing Filling & Grading Section 214 Block 1 Lot 34.2</p>

<p>Chairman Banyo motioned to open the public hearing at 7:00pm. Board Member Kugel seconded the motion and it was approved by a unanimous vote.</p>
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Engineer Utschig explained that the project involved only cutting the trees and did not involve any grading at this time. He stated that they would like to take advantage of the time period in which tree cutting is allowed, between November 1st and March 31st.

Chairman Banyo noted that there were two members of the public present, Town Board Members Lindsay and May, both of whom expressed their support of the project. He asked if there were any other questions or comments from the Public and there were none.

Chairman Banyo motioned to close the public hearing at 7:07. Board Member Friedlich seconded the motion and it was approved by a unanimous vote.

1.0 Call To Order

Chairman Banyo called the Regular Meeting to order at 7:07pm. He proceeded to thank Board Member Kasker, who was recently elected to the Town Board, for his valuable contribution and service to the Planning Board. He noted that he also continues to serve the community as a volunteer fireman and has served his country with 20 years at West Point, the Pentagon and tours in both Iraq and Afghanistan. He noted that he will be missed on the Planning Board but will certainly be an asset to the Town Board.

2.0 Approval of the Minutes

Chairman Banyo asked if there were any questions or comments on the Minutes of the November 7, 2023 meeting and there were none.

Chairman Banyo made a motion to approve the minutes of the November 7, 2023 Planning Board Meeting and Board Member Friedlich seconded the motion. Board Member Reif abstained and the motion was approved by a majority vote.

Board Member Jennings asked for some clarification on the Boards role with regard to the ARB applications for this project and Attorney Naughton noted that the architectural elements were not originally scheduled for discussion this evening but that she will be submitting a memo in advance of January's meeting clarifying their role.

3.0 Tuxedo Farms – Clearing Filling and Grading – Upland Park Section 214 Block 1 Lot 34.2

Chairman Banyo asked if there were any comments from the Consultants and Engineer Hoffman indicated that he has provided his comments to Attorney Naughton which have been incorporated into the draft resolution, which Attorney Naughton proceeded to review.

A question was raised as to whether or not the trees and stumps would be removed and Engineer Utschig explained that they would not be removing the stumps but will just be cutting and organizing the trees which will ultimately be brought off site. Engineer Hoffman asked that they provide verification of approval by the DEC Region 3 for the use of equipment to remove the trees and Engineer Utschig stated that they are waiting for confirmation. Engineer Hoffman informed the Board that he would address this as part of his memo for plan signing.

Board Member Kugel asked if they had appeared before the Sloatsburg Planning Board yet and it was noted that they would be before them on December 19th.

Chairman Banyo made a motion to approve the Resolution and Board Member Lemanski seconded the motion. All were in favor and the motion carried.

4.0 Tuxedo Farms – Amended Subdivision Approval – The Commons/Quail Rd. Section 214 Block 1 Lot 34.2

Engineer Utschig explained that this application is for amended subdivision approval and pointed out that it does not change the area or configuration but divides the property so that one building is situated on each lot which will allow them to continue to work with Related to develop the lots independently.

Attorney Naughton reviewed some minor changes to the resolution and read the specific conditions for the record.

Chairman Banyo asked if there were any questions or comments from the Board or the Consultants and there were none.

Chairman Banyo motioned to approve the Conditional Resolution of Approval. Board Member Reif seconded the motion and it was approved by a unanimous.

Chairman Banyo confirmed that the board would be considering site plan approval for the Commons and Quail Road during January's meeting and Attorney Naughton agreed.

Chairman Banyo motioned to authorized Attorney Naughton to draft a Resolution for Conditional Site Plan Approval and Board Member Kasker seconded the motion. All were in favor and the motion carried.

5.0 Tuxedo Farms – West Terrace – Application Review & Schedule Public Hearing Section 214 Block 1 Lot 34.2

Attorney Schwartz explained that they listened to the Board's concerns during last month's meeting and have made some changes that they feel the Board will be happy with.

Mr. Newman indicated that while they have complied with the Architectural Guidelines, they wanted to try to accommodate the Board's concerns and are now showing a better visual of the product. He reviewed some of the specific details and explained that the single-family homes did not necessarily change but they realized that the initial pictures they provided were discolored and did not provide an accurate depiction of what is proposed and presented updated photo quality pictures.

Mr. Newman addressed the 2-story townhomes and noted that they have reconfigured the windows to allow space for shutters on the smaller gables. He indicated that they will add stone to separate and break up the driveways and that the rear of each unit will have a deck which will add depth. Lastly, he pointed out that they have added trim to the side and rear as an additional architectural element.

Mr. Newman explained that they have also made some changes to the fourplex townhomes to break up the vast center area.

Mr. Newman proceeded to review the building materials, including some of the color pallets, and explained that synthetic ledge stone or brick will be paired with vertical siding and horizontal siding. Board Member Kugel questioned the warranty on the materials and it was noted that they would have to confirm and get back to the Board.

There was a brief discussion on some of their other projects in New Jersey and a potential field visit to tour one of the sites was mentioned.

Board Member Friedlich addressed the blacktop and pointed out that a lighter colored road, as seen on Bramertown Road, may be a nice touch. Engineer Utschig pointed out that there could be challenges with chip and sealing as it wears differently and there tends to be issues with plowing.

Board Member Kugel addressed the school lot and indicated that he would like to see the utilities brought to the site so it is easily available if and when the school decides to build. Engineer Hoffman pointed out that access to the school site will be through a town road and not the project site. Engineer Utschig stated that they will demonstrate that there will be access to the utilities.

Chairman Banyo asked if there was any progress on the electric service and Mr. Vossbrinck indicated that he met with representatives from Orange & Rockland who were not willing to comment on a sub station at this time but noted that they were confident that they would have enough power to serve the development. He stated that they plan to continue meeting every 2-3 weeks to monitor progress.

Board Member Lemanski asked if they had an Electrical Engineer come up with projected calculations and Mr. Vossbrinck indicated that they had.

Mr. Newman explained that after December 31, 2025 all utilities will have to be electric but until then there is the possibility of bringing gas into the development. He noted that the houses have been designed to accommodate gas and that they will review the feasibility and financial impact of using gas.

There was a discussion regarding the next plan submission, which is planned for December 8th, and Engineer Hoffman indicated that generally when a hearing is scheduled it is based on the plans that have already been before the Board so the December 8th submission would be reviewed following the January 2nd public hearing.

Attorney Schwartz indicated they would welcome a potential special meeting to review the December 8th submission and Chairman Banyo indicated the he would be willing to consider a special meeting.

Chairman Banyo made a motion to schedule the Public Hearing for Tuesday, January 2, 2024. Board Member Kasker seconded the motion and it was approved by a unanimous vote.

6.0 Adjournment

There being no further business, Chairman Banyo motioned to adjourn the meeting at 8:20 and the Board unanimously agreed.