**VILLAGE OF VALATIE**

**PLANNING BOARD MINUTES**

**JUNE 2, 2021**

PRESENT ABSENT AUDIENCE

John Bryan, Chairman Janet Shumsky

Meg Todisco Art Heins Joe Loeffler

Diana Carter Lee Linderman Matt Carter

Rob Fitzsimmons, Attorney Joseph Castiglione

 Christian Pozzi

 Paul Calcagno

 Frank Bevens, Mayor

The meeting was called to order by Chairman John Bryan at 7pm. Roll call was then initiated. The minutes from the prior meeting had been emailed to all board members to review before the meeting. Chairman Bryan called for a motion to accept the minutes. Meg Todisco made the motion with Diana Carter seconding. All in favor/ so carried.

Next on the agenda was a Public Meeting regarding an application submitted by Paul Calcagno for a 55+ age restricted development on two vacant parcels located in the Village of Valatie and Town of Kinderhook. The board members had been emailed pdf’s of the plans to be presented prior to the meeting. Chairman Bryan stated that the members had gone back and forth on the Village Code and what it means regarding the number of units allowed. Mr. Bryan stated that Mr. Calcagno was right that his density was based on the 18 acres total and not the 12 he is actually planning to build on. Mr. Bryan referenced 130-57A stating the minimum lot size is four units per acre. Code also states the minimum lot width is 125 feet, which Mr. Calcagno does not have for each home. Mr. Calcagno referenced the previous plan presented years ago. Christian Pozzi spoke up stating that the project as a whole was not a “subdivision”, it is a rental property, and as such, it does have the minimum lot width of 125 feet, so Codes would apply to the lot as a whole. Rob Fitzsimmons went over Code changes before and after the Valtucket project. Code in 1982 created a “Senior Citizen District” under the current Zoning Code allowing four units per acre. Mr. Calcagno referred back to his presentation years ago of a “hotel style” apartment buildings. At that time, it was suggested he go to a smaller scale of single-family homes or townhomes. He had a survey done to calculate the present plan. He felt he was previously approved for 130 units by the previous administration and board.

Mr. Bryan expressed concerns about the distance between the homes, homes on the emergency egress, and the recreation/office had been removed. Mr. Calcagno felt his plan was already approved, being it was suggested he go with single family units instead of apartments when he came before the board 3 years ago. Mr. Bryan asked Mr. Calcagno if he could produce something in writing stating that fact. Then Mr. Bryan brought up the fact that the plan presented tonight is not the same as the initial plan presented to specific Village leaders at a prior meeting. Mr. Calcagno’s response was that that was a “conceptual plan” and we approved of the “concept”. Mr. Calcagno referred to prior presentation that he had questioned if the village was ok with the conceptual plan. Mr. Bryan agreed and stated that they were. But there had been changes made and those changes needed to be discussed. There was some discussion regarding code and how many units Mr. Calcagno could have. Mr. Calcagno stated he was not interested in building if he could not build the number units he had on his plans.

Rob Fitzsimmons tried to back the conversation up by reading 130-56A which specifies four single-family units per acre. He stated that Mr. Calcagno was ok in his density requirements, but he is calculating and quoting the wrong code of 130-56-B for multi-family, which is not what he is building.

Mr. Fitzsimmons stated Mr. Calcagno needed to have multiple things happen before we could proceed. He needs to get the annexation from the Town. That would require a meeting, joint meetings and hearings of Village and Town and more detailed plans for Town and Village constituents to review. Then he would come back to the Planning Board for Plan Review, SEQRA, etc.

Christian Pozzi asked if he could give a brief explanation of the plan. He stated there are no requirements in the village code for distances between buildings for units. They have provided 15 feet between buildings. The NYS Building Code only specifies ten (10) feet between buildings. Buildings are offset from road 20 feet and at least 30 feet from the rear. Unit lots are 86’ to 120’ deep. Mr. Pozzi stated they will be able to give more information as required by the Planning Board.

Storm water drainage will be almost none due to the retention ponds planned. Mr. Pozzi stated they have been in touch with the County Health Department, the Department of Transportation, and others. They have done site distance testing, storm water drain-off, etc. Rob Fitzsimmons stated George Schmitt could not be there but has a pdf and copies of the plans to review. Mr. Pozzi stated he has been in contact with George and the Village Water Department regarding the plans. Mr. Pozzi stated they anticipate no additional storm water run-off at all.

Mr. Fitzsimmons stated comments have been made regarding the emergency access and dealing with the DOT on the Rail Trail, Main Street, and issues with the public. It was anticipated that Mr. Calcagno’s project would be coming down the line and that is why the Albany Ave. entrance/exit would be emergency access only. Mr. Fitzsimmons advised Mr. Calcagno to go to DOT sooner rather than later, as homeowners would bring up traffic problems at the annexation meeting. Mr. Pozzi stated that site distance and a traffic study had already been done two years ago. Mr. Calcagno stated he has been working on this project for three years and has checked in to everything. He is confident that DOT will not be a problem, and he will do whatever they tell him to do.

Meg Todisco asked if the clerk could go back through old minutes when Mr. Calcagno presented his plan for “hotel style” apartments to see what was stated and suggested. She is thinking Mr. Calcagno may have misunderstood what was stated at that time. She remembers that it was said that multi-level apartment buildings was not something the village was looking to have. And also does not remember the Village guaranteeing he could build the same number of units with the new plan. Mr. Calcagno stated he has emails, notes, and letters regarding all of that. Mr. Calcagno went on to say that he needs to build enough units to make financial sense on his end.

After some confrontation between Mr. Bryan and Mr. Calcagno, Mr. Fitzsimmons steared the conversation in the direction of the stormwater treatment and the specifications made. Mrs. Carter and Todisco asked questions regarding the run off and wetlands on the property. Discussion ensued and Mr. Pozzi interceded with response.

Mrs. Todisco questioned the timeline quoted for the construction process of three years stating that seems long. Mr. Pozzi responded that it was a rough guestimate on a phased project. Mr. Calcagno responded as well.

Mrs. Carter asked if it was going to be a managed community. Mr. Calcagno responded yes that everything would be taken care of for the tenants there.

Mrs. Carter asked about the electric being buried. Mr. Calcagno responded yes. She asked about the possibility of solar, he responded absolutely.

Joe Loeffler asked if the median would be drivable over. He and Mr. Pozzi discussed schematics and will talk further as we go along. He asked about standing water, corners, and fire hydrant locations. They also discussed types of gates for the emergency access. Joe referenced the SAGE alarm which is activated by an alarm sounding.

Mr. Fitzsimmons suggested “restrictive ?”guidelines to keep renters from doing their own thing.

Last business, Mr. Bryan suggested we need to adhere to the ten day rule. Make sure any application information should be received to the building office a minimum of ten days prior to meetings so that the Planning Board members have time to review.

Mr. Bryan called for a motion to adjourn. Meg Todisco made that motion, Diana Carter seconded. All in favor / so carried. Meeting adjourned.

Respectfully submitted,

Stephanie Caradine-Ruchel

Clerk to the Planning Board/Zoning Board

Code Enforcement Official/Building Inspector