

VILLAGE OF BUCHANAN  
PLANNING BOARD  
APRIL 15, 2021

PRESENT: Jeffrey Faiella, Chairman  
Tracey Armisto  
Eileen Absenger  
Jennifer Bakker  
Stephanie Porteus, Village Attorney  
Marcus Serrano, Village Administrator  
Victor Minerva, Planning Consultant  
George Pommer, Village Engineer  
Peter Cook, Building Inspector  
Brian Cook, Building Inspector

OTHERS: David Wright  
Jorge Hernandez

CALL TO ORDER:

Chairman Jeff Faiella led the Board members in the Pledge of Allegiance. He called the meeting of the Planning Board to order at 7:30 PM on April 15, 2021.

This meeting was done via Zoom and Zoom audio and is being conducted in accordance with executive Order 202.1.

Please note that you may hear the meeting live by going to the Village Facebook page at the time of the meeting.

APPROVAL OF MINUTES:

Chairman Faiella called for a motion to accept the minutes of March 18, 2021 as written. A motion was made by Eileen Absenger, seconded by Jennifer Bakker, with all in favor to approve the minutes of March 18, 2021. Motion carried.

CALENDAR NO. 1-21-PB: PRELIMINARY SUBMISSION OF APPLICATION FOR PROPOSED SITE DEVELOPMENT PLAN APPROVAL, PROPOSED GRADING AND DRAINAGE PLAN AND DEMOLITION SITE PLAN FOR PROPERTY AT 3176 ALBANY POST ROAD (RAUL SARMIENTO)

This was a continuation of a preliminary submission for proposed site development plan approval for 3176 Albany Post Rd. This application was submitted by Raul Sarmiento. Mr. Sarmiento could not attend the meeting because of illness.

Jorge Hernandez was present on the zoom call along with David Wright. Mr. Wright advised that Mr. Sarmiento purchased the property at 3176 Albany Post Road and proposes to renovate this building with a delicatessen on the first floor and a three bedroom apartment upstairs.

Chairman Faiella asked if the Village received any paperwork from this applicant. There was a review memo from Village Consulting Engineer Pommer dated March 10, 2021. Revised plans of the proposed building were dropped off ten days prior to this meeting. These plans more clearly reflect the commercial use.

David Wright, Raul Sarmiento's attorney, received the memo on April 5, 2021. He was not aware that updated building plans were submitted. He has not communicated with his client.

Chairman Faiella asked Building Inspector Cook for any comments. Building Inspector Brian Cook referred to a survey dated November 11, 2020. The survey showed all the trees that were there at that time. When Chairman Faiella was at the property, he noticed trees were removed. Building Inspector Brian Cook advised that all of the trees were cut down without a permit.

Building Inspector Brian Cook stated looking at a recent photo of the roadway it shows a distinctive roadway and disturbance that was not there before. No roadway was shown on the November 2020 survey. This roadway was created recently and there were changes to the site without benefit of permits. There was to be a fence at the top of the property to shield the view of the neighbors. That fence is not shown. The recently submitted plans showed they minimized the stairway, and changed the windows and door.

Chairman Faiella asked what is the course of action? Chairman Faiella advised when he visited the property all the rocks were pulled out. Building Inspector Brian Cook stated there was a 12 inch rock wall there and all the trees were cut down. In your professional opinion, Building Inspector Brian Cook was asked was the roadway there before. He stated it was not there in November.

It was noted wood chips were placed to stabilize the property for erosion. That doesn't legalize what they have done. Chairman Faiella asked if any of the board members visited the site?

Eileen Absenger asked what is the best way to prevent erosion and stabilize the soil. Village Consulting Engineer Pommer had suggested using mulch. David Wright asked was the steep slopes analysis received. He was advised by Chairman Faiella the Board only received an updated building plan. A steep slopes analysis is still required.

The building department asked the applicant to remediate the front of the property. The DEC was not involved in the slopes or the plateau.

The neighbor at 175 Lindsay Avenue informed the building department that the applicant was using her driveway pushing a wheelbarrow filled with mulch.

Jorge Hernandez reported they worked on building elevation, added larger windows, and redid the stairs. Chairman Faiella asked if there were any questions from the Board members. Jennifer Becker thought the newly submitted drawing looked more pleasing than the previous version and was better suited for a commercial/residential building.

Eileen Absenger asked why the plan shows smooth sumac that is invasive and indigenous. How tall will they allow the shrubs to grow around the back? Jorge Hernandez said there are 19 sumac trees. There was an effort to use natural plantings but they will check with their landscape consultant. Eileen Absenger asked is it written on the site plan that if any of the trees needed to be replaced, it would be with something that would be deer proof. Eileen Absenger wanted to see the property look close to what is there now and that it is maintained.

Chairman Faiella questioned the fuel spillage into the basement area. Jorge Hernandez was not aware of this occurrence and he will check on this information. Chairman Faiella reported the neighbors recently saw cement trucks close to the house.

The DEC was concerned about the previous location of the pumps and the fluid in the basement. Chairman Faiella requested that they do core sampling in the basement and provide documentation that there is no contamination. Marcus Serrano asked about a sprinkler system. Jorge Hernandez said it would not be needed.

Planning Consultant Victor Minerva would like to see signage on the next set of plans. Marcus Serrano suggested that the applicant read the design guidelines. Eileen Absenger asked is there lighting on the shed? She was advised there is nothing prepared at this time. The shed is 20' x 20' and 12 feet high. There will be power in the shed.

As mentioned at the last meeting, Chairman Faiella asked Mr. Hernandez if he discussed with his client moving the location of the shed down to the main level of the property. Mr. Hernandez had a brief meeting with the client.

David Wright addressed the large blue tarp on top of the building. Roof shingles need to be replaced. He asked was there was an objection to installing a roof at this time? They are returning to court on April 27, 2021 and this will be decided after receiving input from the Planning Board. They have not agreed on the steep slope analysis. At this point the blue tarp is keeping water out.

Chairman Faiella requested copies of the trip tickets for deliveries of mulch and gravel. Chairman Faiella asked Village Engineer Pommer if there were any other issues to address tonight. He thanked David Wright and Jorge Hernandez for coming.

Village Attorney Porteus asked when responding to Village Engineer Pommer' s memo that before the next meeting they update their response to specify what has and has not been provided. Chairman Faiella asked for diligence. We should understand what has been done. Usually the applicant responds with a memo. Jorge Hernandez will provide Village Engineer Pommer with a memo.

They will talk with David Wright and the client and try to address all of the items. Chairman Faiella asked when do you think that would happen. Jorge Hernandez will meet with his client. Their priority is the steep slopes analysis.

#### ADJOURNMENT:

On a motion by Tracey Armisto, seconded by Jennifer Bakker, with all in favor, the meeting was adjourned at 8:10 PM. The next board meeting will be on Thursday, May 20, 2021.

Respectfully submitted,

Rosemary Martin, Secretary