

DRAFT
Tivoli Village Planning Board Meeting

Public Hearing
August 18, 2008

CALL TO ORDER/ DETERMINATION OF QUORUM

Meeting was opened at 7:00 pm and a quorum was determined to be present for the conduct of business.

Planning Board Attendees:

Chairman Peter Sweeny
Vice Chairman Harry Colgan
Gary DiMauro
Robert Roff
Alternate: Domenic Scarpulla

Also Present:

Mayor Tom Cordier
Village Attorney Christine Chale
Board Liaison Trustee Susan Ezrati
Planning Board Attorney Scott L. Volkman
Planner Michele Greig
Past Mayor Marcus Molinaro
Grant Writer Victor Cornelius
Recording Secretary Marina L. Schmid

Absent: Alternate: Leigh Palmer

Chairman Peter Sweeny had the Board review the minutes from the previous meeting on July 21, 2008. Chairman Sweeny requested that a correction be made concerning page 2, line 17. It should have been recorded Chairman Sweeny stated "when site plan review is done there will be questions". A motion was made by Harry Colgan and seconded by Gary DiMauro to accept the minutes as corrected. All in favor. Motion carried.

Chairman Sweeny requested Recording Secretary Schmid read the Public Notice for the Public Hearing to hear all interested persons on a proposed three lot subdivision of property owned by CSX known as the "CSX Property Tivoli Waterfront Acquisition", located near the terminus of the Dutchess County Route 78 right-of-way and the Hudson River waterfront, submitted by the Village of Tivoli.

Mayor Cordier did a presentation concerning the Waterfront Acquisition and the history of trying to get to this point. He explained the waterfront has been an ongoing issue on

the table for quite a while dating back to 1994. Questionnaires were sent to Village residents and the only item of concern seemed to be the launch for their boats. It was also noted that a Grant application was submitted for \$150,000.00 to the Dept. of State to study engineering and convince the railroad to sell. This was worked on for about 15 years. The Village would like to acquire 2 parcels.

The Mayor stated that the goal of the Comprehensive Plan was long range. There were a great many meetings and Public Hearings concerning the overall plan. The restoration of the Waterfront was a major subject and there were no negative comments during this process.

Mayor Cordier reported that Scenic Hudson will fund the full purchase price of \$40,000.00 and this Public Hearing is only concerning the acquisition of this property and the 3 lot subdivision. Nothing further can be done until the Village owns the property.

The Chairman requested a motion to open the meeting to public comment. A motion was made by Harry Colgan and seconded by Robert Roff. All in favor. Motion carried.

Danielle Ohanesiam, 44 Broadway-Concerned with what the traffic flow and impact will be. Says it is bad now. Wants the Village to stay nice.

Former Mayor Marc Molinaro, 47 Prince St.- Was Mayor for 13 years. Would like to assist with the presentation. Marcus stated that the subdivision would insure residents and Village would have right to access. This is the only way the Village will be a riverfront community. The subdivision would be consistent with LWRP (Local Waterfront Revitalization Plan). Also made note that eventually high speed rail with restricted access will be in the future. All at grade crossings will be eliminated unless Village has a right to it. The Village will be acquiring the parcel at a reduced price. This project will revitalize and reconnect the Village with the River.

Although Village has limited resources it is blessed with great Hudson River Views and a great Community. This acquisition will insure the Village residents have access to the River.

Grant Writer Victor Cornelius, Germantown-Architectural heritage stems from access to Hudson River.

Also noted in order to protect the waterfront it is imperative to own the land. The waterfront is a recreational and economical resource. Also mentioned that Metro North may in the future extend to Tivoli. If this occurs it is imperative that the Village purchase the property.

Jeff Scales, 10 Friendship St.-What is under consideration for questions or comments from properties? Questioned the east side of parcel and where that is in the zoning. The Mayor showed on the map what property is included in the purchase. Asked about present access and road and what were the goals.

Chairman Sweeny stated that Board doesn't have any more information then what was presented. Harry Colgan stated that the railroad owns all this land. Two pieces have to be

taken off for subdivision. Attorney Volkman said it will become a 3 lot subdivision and explained the process to subdivide.

Mr. Molinaro stated it must be consistent with Master Plan (Comprehensive Plan). It would be passive recreation and natural environment preserved. Anything other than that would be subject to litigation.

Mayor Cordier noted that eventually it will be a Park that will be maintained by the Village. At present there are 3 drainages that are not functionable. The railroad will allow the Village to work on drainage ditches under the agreement.

Gennessy Perez, representing property owner Bryce Marden, 2 Flora St.(Rose Hill)- Applauds Village ownership as CSX is hard to work with. Concerned about it being so near the private drive and the construction phase. Mayor stated that safety is the goal and a fence will probably be erected. 13 entities will be overseeing the site during the construction phase.

Joy Scarano, 13 Friendship St.- Where borders are and relationship to other properties? Where will the park be? Mayor clarified from the map.

Phyllis Pellet, 9 Friendship St.-Asked if there would be an overpass over railroad tracks? Mayor said yes and explained that the plans envisioned would be for parking for 20-25 cars where the drainage issues are at present.

Susan Ezrati identified herself as Village Trustee and Planning Board liason.

Martin Clarke, Milan- Has been on the Waterfront Committee for a decade. Stated that it is no secret that the Village has tried to purchase for 10 years. The Village Waterfront Committee is extremely dedicated to preserving the Villages heritage, architecture and riverfront. Looks great, but it is and was a long process.

Elly Dubinsky, 4 Friendship St.- Everybody agrees it would be good for the Village to buy the parcel. Her concerns are that she would like it to stay natural and is frightened about parking lots, etc. Nobody wants anything put there. No one has asked me if I want parking lot in front of my property. Mayor said Scenic Hudson has strict guidelines.

Marc Molinaro-Understand that Village would not be allowed to leave it as it is. There will have to be public facilities for residents. Village has been very aggressive getting residents to be heard and it has to be sensitive to the environment and the residents.

Mayor noted that at present there is 10-15 cars sometimes down there now. Ms. Dubinsky stated that you cannot chaperone people.

Barbara Eichin, 10 Friendship St.-Stated that just before she bought house this was in the planning stage. Concerned although this is just for acquisition, already a lot of work has been done. Once it is approved and residents have access, she does not want parking lot in front of her house or anyone else's. Big steps and she wants to be a part of it. She feels a lot of work has been done that she has not had input on.

Grant Writer Victor Cornelius-Village must depend upon agencies (State and Federal) for Grants and these agencies have guidelines and rules. They will not fund projects without substantial public process.

Chairman Sweeny closed the public comments on recommendations to the Village Board.

A motion was made by Gary DiMauro to extend the Public Hearing to August 25, 2008 at 8:00 pm at Village Hall. Motion seconded by Navin Sharma. All in favor. Motion carried.

Minutes of Monthly Planning Board Meeting

Meeting was opened at 8:06 pm

Recommendations from Workshop

Planner Michele Greig reported that the Board reviewed the Full Environmental Assessment Form from July 16, 2008, Part 1 and Part 11.

Chairman Sweeny stated that the Full Environmental Assessment Form was filled out correctly and was complete. There was nothing significant for the Village Board to consider.

Chairman Sweeny stated that there didn't appear to be any significant impacts.

A motion was made by Harry Colgan that the Planning Board Environmental Form is adequate and correct. No further action needed for the Environmental Impact Statement. The motion was seconded by Gary DiMauro. All in favor. Motion carried.

Planner Greig reported to the Board that the Village Waterfront (LWRP) is subject to SEQR and the Planning Board has obligation to determine whether this is consistent with LWRP. On two previous occasions - August 11 and August 18 (workshop) the Planning Board reviewed. The purpose tonight is to determine that it is consistent with findings from previous workshops and then complete first page.

Attorney Chale stated that the Board did review details at length already.

A motion was made by Harry Colgan to recommend to the Board of Trustees that the Planning Board finds subdivision and acquisition of land consistent with LWRP. The motion was seconded by Gary DiMauro. All in favor. Motion carried.

Recommendations to ZBA: to grant area variance and lot size.

Navin Sharma stated that this would be in the interest of the Village and the significance of land recommend area variance and lot variance. Recommend favorably to consider the variances and he has no objection to object.

A motion was made by Harry Colgan to recommend that the Zoning Board of Appeals favorably consider the variances for these lots and the Board has no objections granting variances for minimum lot size and lot width at front building line. Motion seconded by Robert Roff. All in favor. Motion carried.

The action taken today constitutes a substantive recommendation on the consistency of the proposed action with LWRP

ADJOURNMENT

A motion was made by Harry Colgan to adjourn the meeting at 8:30 pm. Seconded by Navin Sharma. All in favor. Motion carried.

Respectfully Submitted,

Marina L. Schmid
Secretary