

TOWN OF PLATTEKILL  
PLANNING BOARD  
P.O. BOX 45  
MODENA, N.Y. 12548

MAY 14, 2013

THE MEETING OPENED WITH A SALUTE TO THE FLAG BY CHAIRPERSON CINDY HILBERT AT 7:30 P.M.

ROLL CALL: Chairperson Cindy Hilbert, Vice-Chairman Richard Gorres, Thomas Wilkin, Darryl Matthews, Judith Mayle (arrived at 7:35 p.m.) Katherine Beinkafner (arrived at 7:35 p.m.) Nathaniel Baum (arrived at 7:40 p.m.)

***MINUTES***

April 23, 2013

**MOTION**: Mr. Gorres made a motion to accept the minutes with the correction to Mr. Matthew's first name. Seconded by Mr. Matthews. On the vote: Ms. Hilbert-aye Mr. Gorres-aye Mr. Wilkin-aye Mr. Matthews-aye

***NEW BUSINESS***

**Richard Quiles-re-signing of the plan (Plattekill-Ardonia Rd. & Route 44/55) SBL#94.20-3-12.1**

The applicant, Richard Quiles was present. Ms. Hilbert briefly summarized the reason for Mr. Quiles appearance before the Planning Board, indicating that Mr. Quiles received final approval on his project, but the map was never filed with the Ulster County Clerk's Office. Mr. Quiles stated his mother had passed away, and they were dealing with the estate, and his father passed away fourteen months later. The Planning Board members reviewed the mylar with the copy of the plan Mr. Quiles presented to the board to see if everything lined up. The map lined up with the original mylar.. Mr. Wilkin stated that there should be a driveway permit from the Ulster County Department of Public Works in the file. Mr. Wilkin asked if the Planning Board should confirm with the Ulster County Department of Public Works that they have not changed their requirements on this project, since it was issued back in November of 2007. The board members determined that this would not be necessary because there was no timeframe on the November 6, 2007 letter from the Ulster County Department of Public Works. The board made a determination that the Board of Health approvals would have to be renewed, because they expired after two years. Ms. Mayle asked Mr. Quiles if Zen Design (representative from the project) would be coming in at any time to represent him. Mr. Quiles stated Mr. Lytle didn't need to be here this evening, but would be at the public hearing. There was a determination that a public hearing would be necessary. Ms. Mayle stated SEQRA should be reviewed. The board members reviewed the Short Form SEQRA and the following items were added:

- Item #4-*Precise location*: “Milton Turnpike” was changed to “ State Route 44/55”
- Item #9-*What is present land use in vicinity of project?* “Vacant land” and “wooded” were added.
- Item #10-*Does action involve a permit approval, or funding, now or ultimately from any other governmental agency (Federal, State or Local)?* “Town of Plattekill Subdivision” “Ulster County Health Department” and approval from “Ulster County Department of Public Works”
- Item #11-*Does any aspect of the action have a currently valid permit or approval?* “Ulster County Department of Public Works permit dated 11/06/07.”

**MOTION**: Mr. Wilkin made a motion that the Plattekill Planning Board take Lead Agency with Mr. Gorres seconding the motion. All ayes on the vote.

**MOTION**: Mr. Wilkin made a motion to declare this an unlisted action with Ms. Mayle seconding the motion. All ayes on the vote.

Ms. Hilbert read through page two of the SEQRA form.

**MOTION**: Mr. Wilkin made a motion to declare this a negative declaration with Ms. Mayle seconding the motion. All ayes on the vote.

The board members determined that a public hearing would be scheduled for May 28<sup>th</sup>. Ms. Hilbert added that she would not be available for that meeting, and asked if any of the board members would have a conflict for that evening.  
*The public hearing is scheduled for May 28<sup>th</sup>.*

## ***DISCUSSION***

### **BD40 Zoning**

Mr. Baum stated the BD40 zoning did not specifically state that single family dwelling units could be added to the zone. The Planning Board members looked at the Plattekill Zoning Map dated 2006 and reviewed the Quiles map. Mr. Wilkin stated that the application was approved in 2008. Ms. Hilbert went through the minutes.. Ms. Hilbert stated an 0.4 acre area variance was granted (January 24, 2008) for lot #1. Ms. Mayle stated they would need to find out if the BD40 zone still exists in that area. Mrs. Beinkafner inquired what they would be getting a variance for. Ms. Hilbert stated they would be getting a variance for the setback from the road. There was a determination to send this application to the Zoning Board for an interpretation as to whether Mr. Quiles needs a variance for the BD Zone for the pre-existing dwelling. Ms. Hilbert stated she would draft a memo to the Zoning Board in regard to this issue and copy Mr. Quiles. Mr. Wilkin asked if the application and recreational fees would be waived. There was a discussion regarding sending a memo to the Town Board on this matter.

**MOTION**: Mr. Gorres made a motion to send the Town Board a letter requesting they waive recreation fees and any other fees possible, because they have already been paid on this application. Mr. Matthews seconded the motion. All ayes on the vote.

### **Conservation Subdivision**

Ms. Hilbert stated that Mr. Marshall, representative for Mr. & Mrs. Lockhart had presented a conservation subdivision proposal in reference to the Rainieri Subdivision. Ms. Hilbert stated what Mr. Marshall had presented to the Planning Board that evening was not a conservation subdivision, Mr. Marshall brought it up at the meeting, that night, and she had asked them if they would allow the board more time to review the code on the conservation subdivision with the Planning Board Engineer. Ms. Hilbert added that she and Mr. Matthews met with Mr. Clouser, Planning Board Engineer at his office in the beginning of April to go over what Mr. Marshall had submitted and get some comments from Mr. Clouser. Ms. Hilbert stated when they met with Mr. Clouser some of the things that were discussed were;

- There needed to be a minimum of five lots
- There needed to be a minimum of 200 feet across (lot #4 of the proposed subdivision plan shows that there would only be approximately twenty five feet of road frontage.)
- The layout proposed for lot #3 showed parking on the side. Ms. Hilbert stated they thought parking should be placed in the rear of the building.
- The Town Code states that at least 50% of the created lots must front an open space area which the original application didn't.
- At least 30% of the gross area should consist of open space which no more than 50% of open space would consist of wetlands, flood plains, slopes greater than 25% gradient, water bodies or any of the buffer areas surrounding the wetlands.

Ms. Hilbert stated they sent their comments to Mr. Marshall and he sent his response letter which was received in the office yesterday (5/14/13). Ms. Mayle stated she would not be prepared to respond to Mr. Marshall's May 10, 2013 letter this evening. Ms. Hilbert stated the board could review it for the next meeting (May 28, 2013) under discussion.

### **Open applications**

Clerk made a copy of the open applications for the Planning Board members.

### **MML Homes**

Ms. Hilbert states she had a conversation with Mr. Moriello, his client wanted to be put back on the agenda and she told him that she was not in favor of that until there was some type of formal draft of the road agreement between the Town of Lloyd and Town of Plattekill. Ms. Hilbert added that the Town Board was incurring some cost from Mr. Keller, Town Attorney, and the Town Board had requested monies from MML Homes, which was received. Ms. Hilbert stated Mr. Clouser is now finishing up the Stormwater Prevention Plan.

### **Fosler Road LLC**

Ms. Hilbert stated she spoke with Planning Board Attorney Jason Shaw and he heard from Mr. Moriello on the draft resolution, and Mr. Moriello had some minor comments on the resolution. Ms. Mayle stated she is not sure how the applicant gets to comment on the resolution. Ms. Hilbert stated Mr. Shaw sent it to Mr. Moriello as a courtesy. Mr. Gorres stated the board gave

Mr. Moriello permission to work with Mr. Shaw so that everything could be worked out. Ms. Mayle stated she didn't think that would be for the resolution, because the resolution was from the Planning Board. Ms. Hilbert stated that Mr. Shaw didn't say that Mr. Moriello made any major adjustments to what Mr. Shaw had drafted. Ms. Hilbert asked the board if they all received the drafted final resolution from Mr. Shaw. The board members stated they did have a copy. Ms. Hilbert stated the board would have to make a motion for increase to the escrow, because the board needs something formal to request an additional \$4,000.00 to increase Fosler Road LLC escrow.

**MOTION:** Mr. Gorres made a motion the Planning Board request \$4,000.00 to replenish the escrow for Fosler Road LLC with Mrs. Beinkafner seconding the motion. All ayes on the vote.

### **Huckleberry Bluestone Subdivision**

Ms. Hilbert stated they are still on hold until the escrow is replenished

### **Walden Playboy**

The board briefly discussed the history of the application. Ms. Hilbert stated she would contact the Supervisor's office and see if they have been contacted by Mr. Hoell and if they are following through, or if they need to come back to the Planning Board. The clerk indicated Mr. Hoell stated he would be updating the file with a letter. Ms. Mayle stated the Planning Board should be sending a letter to Mr. Hoell to update the board.

### **T. Dippel Subdivision**

There was a brief discussion regarding when the project was last before the Planning Board. Clerk sent a letter to the applicant indicating the applicant would need to replenish the escrow by \$1,000.00 to continue with the project. No escrow or letter was submitted to the Planning Department and the file was closed. Mr. Wilkin indicated the Town of Shawangunk was approached about doing a subdivision on the Demske property by and engineer named John Tarolli and the Plattekill Planning Board may have a coordinated review coming in on this.

### **Letter from Keller & Keller on the Paribelli Subdivision private road**

Ms. Hilbert indicated the Town Board received a letter from Keller & Keller (dated May 13<sup>th</sup>.) On the Paribelli Subdivision and the private road issue. Ms. Hilbert stated the way that the code is written is that once you put in a private drive the access would have to come off of the private road. Ms. Hilbert stated Ms. Brooks went before the Town Board to try to get an interpretation as to whether or not they would have the Home Occupation, apartment and home changed to access off of the private road. Ms. Hilbert indicated she would draft something and send it on to the Supervisor to let him know that the Planning Board reviewed the letter. Ms. Hilbert stated she would indicate that the Planning Board had some discussion and they didn't feel that the Planning Board has the authority to make modifications to the code.

**Stone Oaks Subdivision (formerly Glen Rock)**

Ms. Hilbert stated that there was an issue that occurred with the drainage in the Stone Oaks Subdivision. Ms. Hilbert stated that there was some drainage infrastructure that should have been put in and had not been put in at this point. Ms. Hilbert stated Mr. Matthews and herself met with Mr. Wager, Highway Superintendent regarding this issue. Ms. Hilbert stated that Mr. Wager wanted her to bring this to the board's attention to give serious thought and consideration when the board has some of the bigger subdivisions coming in front of the board that the board would focus on having the applicant put the drainage infrastructure for the whole project in, even if it is roughed in, instead of phasing it in. Ms. Hilbert stated that is where Mr. Wager feels these issues come in.

***ADJOURNMENT***

**MOTION**: Mr. Gorres made a motion to adjourn with Mrs. Beinkafner seconding the motion.

All ayes on the vote.

The meeting adjourned at 9:05 p.m.

Respectfully submitted by  
Susan Bolde, Planning Board Clerk