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

JANUARY 14, 2014

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

ROLL CALL: Chairperson Cindy Hilbert, Thomas Wilkin, Judith Mayle, Nathaniel Baum, Darryl Matthews, Kathie Beinkafner

Absent: Richard Gorres

Carla Paltridge: David Clouser & Associates

MINUTES
December 10, 2013

MOTION: Mr. Baum made a motion to approve the minutes. On discussion: Ms. Mayle made a correction to the minutes "Mr. Gorres *made a motion* to close the public hearing…" Mr. Matthews seconded the motion. All ayes on the vote.

OLD BUSINESS

Lands of Rainieri-Proposal for a conservation subdivision (South Street)SBL#102.3-1-6.111
Lawrence Marshall of Mercurio, Norton, Tarolli and Marshall was present to discuss the project. Mr. & Mrs. Lockhart were also present. (Record owners of the property are Salvatore & Domenico Rainieri). Mr. Marshall submitted two plans, sketch "A" which contains a proposed public road providing access to lots #3 and #4. Sketch "B" shows lots #3 and #4 accessing South Street from proposed individual driveways. Mr. Marshall stated in response to Mr. Clouser's January 9, 2014 comment letter, there is a lot that will need to be updated such as the short EAF, and the application to reflect the current plan. Mr. Wilkin commented that Mr. Marshall may need to do a long form EAF. Mr. Marshall responded that the new short form is an expanded short form and is intended to encompass all unlisted actions. Mr. Wilkin asked Mr. Marshall what was the former use of the property. Mr. Marshall stated it was an apple orchard. Mr. Wilkin stated they will probably have to have soil testing done on this for pesticides, and because of that he feels they would need a long form EAF. Mr. Wilkin stated he did think that the applicant could utilize the old long form since the application was made out last year. Ms. Mayle stated she did not think they could get away with doing the old form EAF, because the applicant hasn't done anything substantive, and the last time this application was before the Planning Board it was just a conceptual application. Ms. Paltridge added that she felt it would be in the board's best interest to do a long form EAF. Mr. Marshall added that the long form is an exhaustive process, they

modified the short form EAF under the avenue to try to get some of the smaller projects to utilize that instead of going immediately to the long form EAF. Mr. Marshall stated the new short form talks about traffic, wetlands, even endangered species, it does ask those questions, where the old short form didn't. Ms. Paltridge stated the board can always start with the short form and if they still have questions, and need more information, the board can always have the applicant fill out the long form. There was a consensus of the board to start with the short form EAF. There was discussion regarding Hemlock Ridge State Park and the fact that the State did a lot line revision with the Rainieri property. The board looked at both sketch "A" and sketch "B". Ms. Hilbert stated that Mr. Marshall had indicated through his correspondence that his client was leaning more toward sketch plan "B." Ms. Hilbert asked the board if they had any comments or concerns with either of the plans. Mr. Matthews stated that if a town road goes in, the neighbors next door are not going to be very happy, so it just comes down to the design. There was discussion regarding building a town road and whether the town would take over the town road. Mr. Wilkin stated there is another option to waivering the road frontage which would be to do a lot line revision with the neighboring property owner. Ms. Mayle asked Mr. Marshall how much area was outside of the conservation area. Mr. Marshall stated 26.29 acres. Ms. Paltridge stated one of the comments that was made from Mr. Clouser's office (see comment letter dated January 9, 2014) was to provide a breakdown of the number of acres per lot. Mr. Marshall replied that they could show that. Ms. Mayle asked Mr. Marshall if there were any other structures on the property. Mr. Marshall stated there is a garage or shed in the back (showing the area on the map). Mr. Marshall stated they are asking for a waiver to add the additional frontage for lots #3 and #4. Mr. Wilkin stated the board has already granted a waiver per section of the code 110-48 (D) "conservation subdivisions shall ordinarily include at least five lots…" Mr. Wilkin stated that means the Planning Board granted Mr. Marshall a waiver when the board said they would accept a four lot subdivision. Mr. Marshall stated it doesn't preclude you from clustering everything down into two or three lots, it is saying you can't cluster a three lot subdivision, they already have eleven lots and are clustering them down to four lots. Ms. Paltridge asked if that was the consensus of the board. Ms. Mayle stated she would have to take a look at the code. Ms. Paltridge stated what Mr. Marshall is saying is that it isn't five lots in the conservation subdivision, he is saying you need to start with the conventional subdivision with at least five lots, that is his interpretation, it is not her (and Mr. Clouser's office's) interpretation. Ms. Paltridge stated that their interpretation is that the conservation subdivision still has at least five lots, so the board may allow four, in this case, if it makes sense to the board. Ms. Mayle stated she thought there should probably be something more presented as evidence as to why there should be an exception in this particular situation. Ms. Hilbert stated that was part of what they discussed at the last meeting, the board went back and forth on the number of lots, and she remembers talking about it being close to or included in the Quassiac Watershed and they used that to bring it down from the five lots (see minutes of May 28, 2013). Ms. Paltridge added the board's reasoning could be as simple as they want to conserve as much conservation area as possible. Ms. Mayle asked Mr. Marshall if he would be receptive to re-doing the design for four lots. Mr. Marshall stated yes. Mr. Marshall stated they would put into writing some justification for the four lots. Mr. Matthews asked if there was a way to tie the two driveways together where you could have one driveway up to a certain point and then tee off to each one, you are eliminating one aspect of the site distance (see plan "B"). Ms. Mayle stated

if they could butt the driveways together at the lot line, you would have a larger area that people are coming into rather than at the town road. Mr. Marshall stated there are two twelve foot driveways that they could put together and make it twenty four foot wide entrance. Ms. Mayle asked Mr. Marshall who owned the lots, because what they would want is some type of agreement of maintenance for the accesses. Mr. Marshall asked if they could use a standard driveway agreement. Ms. Mayle stated yes, she would think so. Ms. Mayle asked Mr. Marshall if there would be a Property Owner's Association Agreement with this. Ms. Paltridge stated that each four family unit is going to be responsible for whatever the acreage is that is associated with that lot. Ms. Paltridge stated it would basically be four agreements, one for each building. Ms. Mayle stated there is going to be maintenance on the well and sewage treatment systems and the Property Owner's Association should be responsible for all improvements, including road utilities and recreation facilities. Ms. Mayle stated she would be in favor of providing an exception for the lot width on lots #3 and #4 and doing some maintenance agreement, along with a Property Owner's Association. Ms. Paltridge stated she just wanted to briefly raise the issue of the comment that this sketch "B" does not allow for any further development. Ms. Paltridge stated that Mr. Clouser was sensitive to some discussion at the last Planning Board meeting regarding that, but the configuration as shown would absolutely prohibit that. Ms. Hilbert stated there was also a comment at the last meeting about putting the parking in the rear. Mr. Marshall stated the layout that they previously had, the parking was on the side. Mr. Wilkin asked how many bedrooms there were in the units. Mr. Marshall stated two bedrooms. There was a brief discussion regarding potential soil remediation. Mr. Marshall stated once they establish where the units would go, they would do some soil testing and if necessary, they just put the twelve inches of soil there. Ms. Paltridge stated there could be language in the Property Owner's Association that states you can't use the contaminated soil for fill material, it has to stay in place. Ms. Hilbert asked the board members which of the two plans they preferred. The consensus of the board was plan "B," but the board would like the applicant to get input from the Highway Superintendent and the Fire Department.

Ms. Hilbert re-capped the discussion as follows:

- The Planning Board would like to see the two driveways abutted
- Possibly take the structure and parking area of lot three and push it a little bit north and west to give the neighboring parcels a little more privacy.
- Submit the calculations (per the request of Dave Clouser's office) of the reserve space and open space and note it on the map.
- Get input from the Highway Superintendent as well as the Fire Department
- Show the lighting plan, dumpster and landscaping

The applicant will reach out to the Highway Superintendent and Fire Department for their review and comment.

DISCSUSSION

Huckleberry Bluestone Subdivision
The Planning Board discussed the application, which had no activity for over a year. There was a determination to close the file and return any unused escrow.

MOTION: Ms. Mayle made a motion to close the application with Mr. Matthews seconding the motion. All ayes on the vote.

VOUCHERS

David Clouser's Engineering review

Voucher-Paribelli 3 Lot Subdivision-in the amount of $206.00 for engineering review to come out of the Paribelli escrow.
MOTION: Mr. Mayle made a motion to approve the voucher for payment with Mrs. Beinkafner seconding the motion. All ayes on the vote.

Voucher-Orchard Heights 9 Lot Subdivision-in the amount of $1,131.00 for engineering review to come out of the Orchard Heights escrow.
MOTION: Ms. Mayle made a motion to approve the voucher for payment with Mr. Matthews seconding the motion. All ayes on the vote.

Voucher-Messina & Sons Site Plan-in the amount of $1,567.50 for engineering review to come out of the Messina & Sons escrow.
MOTION: Ms. Mayle made a motion to approve the voucher for payment with Mr. Matthews seconding the motion. All ayes on the vote.

Voucher-McGlasson 5 Lot Subdivision-in the amount of $236.80 for engineering review to come out of the McGlasson Subdivision escrow.
MOTION: Ms. Mayle made a motion to approve the voucher for payment with Mr. Matthews seconding the motion. All ayes.

Voucher-MML Homes 27 Lot Subdivision-in the amount of $923.08
On discussion: Mr. Matthews indicated the applicant did not have the funds to pay the voucher, but the check was forthcoming. Ms. Mayle asked if they could approve the voucher pending the deposit of the money in escrow.

MOTION: Ms. Mayle made a motion to approve the voucher for payment when the funds are deposited in the escrow account. Mr. Baum seconded the motion. All ayes on the vote

INCREASE ESCROW

Messina & Sons Site Plan-increase escrow by $1,300.00

MOTION: Ms. Mayle made a motion to approve the increase in escrow with Mr. Matthews seconding the motion. All ayes on the vote.

Orchard Heights Subdivision-increase escrow by $2,500.00

MOTION: Ms. Mayle made a motion to approve the increase in escrow with Mr. Baum seconding the motion. All ayes on the vote.

*Mrs. Beinkafner indicated she would not be attending a Planning Board meeting until April 8th.

ADJOURNMENT

MOTION: Mr. Baum made a motion to adjourn with Mrs. Beinkafner seconding the motion. All ayes on the vote.

The meeting adjourned at 9:30 p.m.

Respectfully submitted by
Susan Bolde, Planning Board Clerk