

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

April 8, 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, Kathie Beinkafner, Nathaniel Baum, Darryl Matthews, Judith Mayle

Absent: Richard Gorres
Planning Board Attorney: Jason Shaw
Planning Board Engineer: David Clouser, Carla Paltridge

MINUTES

March 25, 2014

MOTION: Ms. Mayle made a motion to approve the minutes with the following amendments: Delete “either” from property owners on page 3. Add “bonding of the road” on page 4 under MML Homes. Mr. Wilkin seconded the motion. All eyes on the vote.

OLD BUSINESS

Paribelli-proposed three lot subdivision (Barclay Road)SBL#101.2-2-5.11

The application was moved to an upcoming agenda.

The Planning Board reviewed Lands of Rainieri, as the Planning Board Attorney had not arrived yet for the review of Orchard Heights.

Lands of Rainieri-Proposal for a conservation subdivision (South Street)SBL#102.3-1-6.111

Larry Marshall was present to represent the project. Mr. & Mrs. Lockhart were also present. Mr. Marshall stated that he revised the plans to address the concerns of the board at the last meeting, and then they sent the plans to the Highway Department as well as the Fire Department. Mr. Marshall stated that they received letters back from both agencies (see file for letters). Mr. Marshall stated that the Highway Superintendent indicated sketch plan “B” would be a better design. Mr. Marshall stated they did not want to progress the plan past the state that it was in until the board had decided on the layout. Mr. Marshall added that they relocated the one house on lot #3 on sketch plan “B” further back at the request of the Planning Board. The Planning Board members reviewed the plan. Ms. Hilbert stated that Mr. Clouser had provided the board with his comments (dated April 7, 2014). Ms. Hilbert stated that at their last meeting when the Rainieri project was before the board in January there was a lot of discussion of the two different layouts and the Planning Board was leaning more toward layout “B” Ms. Hilbert asked the board if they would be comfortable with one of the layouts. Mr. Wilkin stated he didn’t think

the code allowed for shared driveways. Ms. Mayle stated typically they do not do shared driveways, but what they have done is joined them at the top, so that there is a common entrance onto the road. Mr. Marshall asked the board if there was a distance the board would like to see, as opposed to the ninety feet that is shown. Mr. Clouser responded fifteen or twenty feet off of the pavement, if it separates at that point, you have less of a chance of arguments from property owners. Mr. Wilkin added it should be fifteen feet of pavement (width). Mr. Wilkin stated that Mr. Marshall had indicated he had measured the road frontage at the setback line. Mr. Marshall stated it is provided in the table, the width is measured at the setback line. Mr. Wilkin stated that would only be for a cul-de-sac. Ms. Paltridge stated the information is provided in the definitions. Mr. Shaw, Planning Board Attorney indicated it is where the right-of-way abuts a lot, not at the setback line. Ms. Paltridge stated the board had identified that you are allowed under the code to waiver that width, if the board wants to. Mr. Clouser read a section of the code 110-48 G (1) *“Development standards for streets, lot size, lot width, lot coverage and lot depth may be reduced, provided no dwelling structure (single-family or two-family) is located on less than...”* Ms. Paltridge added that there is another requirement in the code that generally it would be five lots, and the board has already decided that they would allow four lots. Mr. Marshall stated that this was shown as a twelve lot conventional subdivision that was being condensed down to four lots. Mr. Wilkin stated his concern is how much waivering can the board do. Mr. Shaw asked how the conservation area was going to be preserved. Mr. Marshall stated there will be deed covenants. Mr. Marshall added there are three options; a land trust, giving it to a municipality, and the third option is putting it into a Property Owner’s Association which is most likely what they will choose. Mr. Shaw asked when the Home Owner’s Association would be formed. Ms. Hilbert stated once the Planning Board decides and endorses one of the development plans currently that is in front of the board “A” or “B”, they will move forward. Mr. Shaw asked if this was a preliminary plan. Mr. Marshall stated they looked at concepts and then they did a full survey, and now they are getting back to getting a good direction on this. Ms. Hilbert asked if anyone had any more comments. Mr. Marshall confirmed that the road width would be fifteen feet and road separation would be at twenty feet. Ms. Mayle asked if they should be typing the action at this point and doing an unlisted action before they go to sketch. Ms. Paltridge stated that the board did not have to type the action at this point. Mr. Shaw asked if the board had an EAF part one. Ms. Mayle stated they have a short form EAF. Mr. Shaw asked what the total units were. Mr. Wilkin stated thirteen units, with the bonus they could have had fourteen units. Mr. Shaw asked why the board was using a short form EAF. Mr. Marshall stated that D.E.C. stated that the short form can be used for all unlisted actions. Ms. Paltridge stated that this discussion came up at the last meeting and Mr. Marshall had submitted the old short form, so the board asked him to fill out the new short form and then if the board saw anything that they thought warranted going to a long form they would progress to that. Mr. Shaw stated he thought there was a lot going on here for a short form. Mr. Shaw asked who the involved agencies were. Mr. Marshall responded it would be D.E.C. with the stormwater and Ulster County Department of Health for the sewers. Ms. Mayle added that the Highway Department would also be an involved agency. Mr. Wilkin asked if there was anything that was looked up on the endangered species yet. Ms. Paltridge stated that was one of the questions on the short form and she believes it came back as

a no, or else she would have flagged it. Mr. Shaw asked if this was in an agricultural district. Mr. Wilkin stated no. Ms. Mayle stated the initial question was, can the board move forward and approve sketch plan without doing some sort of initial SEQRA determination as to what to type the action. Mr. Shaw stated you can approve a sketch plan, because all you are doing is saying that you conceptually approve it, it is nothing more than that.

MOTION: Mr. Matthews made a motion to accept sketch plan “B” for Lands of Rainieri with Mr. Baum seconding the motion. Ms. Hilbert asked if anyone had any questions.

On discussion: Ms. Paltridge asked if the board wanted to add the waiver. Ms. Mayle stated she didn’t know if they were ready to waive the width. Ms. Hilbert asked Mr. Wilkin if he had any questions at this time in regard to approving sketch plan “B.” Mr. Wilkin stated no, not at this time. Mrs. Beinkafner asked if the board waived the number of lots, why wouldn’t they waive the lot width. Ms. Mayle stated she would prefer, for herself, to have put together the reasoning why they are waiving the lot width particular to this project and not just to cobble something together tonight. Mr. Shaw stated the board doesn’t have to make a decision tonight about waiving anything. Mr. Clouser stated it was about 135 to where the right-of-way line meets the lots (lots #3 and #4). Mrs. Beinkafner asked what action the board was taking on sketch plan “B.” if the board is approving it, doesn’t that imply that the board would approve these waivers later on? Mr. Marshall stated they are acting in good faith that the board is not going to string them along, if the board is happy with sketch plan “B” they will proceed going forward. Mr. Shaw stated you are looking at a sketch plan and saying, conceptually this looks fine, come back with your preliminary plat next time. Mrs. Beinkafner stated if they do not waive the lot frontage, the applicant is up the creek, all their invested time and effort would be to no avail, they would have to start over. Mr. Marshall stated that they are operating under the idea that the board is comfortable with the plan. Mr. Marshall gave a synopsis of how they had gotten to this point over many meetings. Mr. Marshall added if the board is not comfortable with the lot width, it would be nice to know that now as opposed to a month from now, when additional work has been completed. Ms. Mayle stated she is not saying that she is against a waiver, she is just saying that the board is not prepared to sit here and try to draft something this evening. Ms. Hilbert stated sketch plan “B” is a culmination of more than two meetings, probably five or six meetings worth of changes and development of how it would have the least amount of impact on the neighborhood as a whole, through parking and giving more privacy to neighbors through landscaping. Mrs. Beinkafner stated maybe they need to agree that they will write up their resolution and reasonings involved in making these two waivers and have something prepared for the next meeting. Ms. Mayle stated they could amend the sketch plan to say that they are approving the general layout of the plan, but not any waivers of the project at this time.

MOTION: Mr. Matthew amended the former motion to accept the plan “B” concept for Lands of Rainier with no waivers attached as yet. Mr. Baum seconded the motion. All eyes on the vote.

The applicant will proceed with plan “B” and continue their review before the Planning Board.

Orchard Heights-Proposed 8 Lot Subdivision (Palazzo Lane) SBL#95.1-7-29.314

WE James was present to represent the project, along with Attorney for the project, Ken Stenger. Mr. Jason Shaw, Planning Board Attorney was in attendance. Mr. James indicated the most revised plan is dated April 8, 2014. Mr. James stated he put the easement for the swale for lot #1 on the plan and put the revision date on it. Ms. Hilbert stated the applicant was taken off the last agenda because there were some questions and concerns by the board members on three of the lots and the construction of the driveways, and how the drainage and construction was going to be handled on those driveways. Ms. Hilbert indicated she requested a meeting with Mr. James, Mr. Stenger, herself, Mr. Clouser and Ms. Paltridge along with Town Supervisor, Mr. Croce, Highway Superintendent, Mr. Wager and Planning Board member, Darryl Matthews. Ms. Hilbert stated they met at her office on April 1, to discuss the best option as to how to address the issues of construction of the driveways and the overall protection of the area and surrounding properties. Mr. Shaw stated the lots of concern would be to the left of the road, they are actually lower than the road, and that makes a substantial difference because of the potential impact to the road. Mr. Shaw stated they discussed conceptually that this board could not require an as of yet unknown potential purchaser of the lots to post a bond and then construct the driveway. Mr. Shaw stated the consensus of the meeting was that the plan could be approved conditionally with several conditions, but the most important one is that the sub-divider (based on numbers that the Town Engineer derives for the construction costs), would post a cash bond with the Town to cover the cost of the construction of three driveways that are at issue. Mr. Shaw stated that the cash bond would also cover the cost of Mr. Clouser's inspections, to inspect the construction of the driveways, and the applicant would be obligated regardless of who buys the lots, to construct the driveways within a certain period of time. Mr. Shaw added that the driveways would have to be constructed under the supervision and approval of the Town Engineer. Mr. Shaw stated that if the applicant does not make the construction within the required timeframe, then the Town, based on the consent of the applicant, would be able to enter the property and construct the driveways, using the money that has been posted by the applicant with the Town Board. Mr. Shaw stated he suggested that this agreement with the developer be recorded against the property, so anybody who buys this property will know that there is this agreement between the Town and the developer for the construction of these driveways. Mr. Stenger stated that they will put that notice of agreement in the contract, so that nobody would find this out after the fact. Mr. Stenger stated they also agreed to get this done in two years. Mr. Shaw stated they also agreed that as the driveways are completed, the proportionate amount of the cash bond would be released back to the developer. Mr. Shaw stated that Ms. Hilbert had sent him a copy of the original easement, and you could take that easement and do a new document, refer back to that easement and say that easement extends to the drainage swale, and that would be the second condition of conditional approval. Ms. Mayle asked if the board received a copy of the easement. Ms. Hilbert stated there is a copy in the file, it was recorded and filed on September 21, 2005. Ms. Mayle stated she has a number of concerns, they have not seen the new map with the easement on it, they are talking about a sketch of an outline with an agreement in terms of the construction of these driveways without the terms and conditions. Ms. Mayle stated she would like to see that type of agreement, as well as if they are constructing this over a two year period; what happens in the event that during those two years those driveways are not constructed, do they have to

come back to the Planning Board, or is the approval null and void. Ms. Mayle stated that she would like to see something that clearly identifies what the roles and obligations are of both the Planning Board and the property owner throughout the construction of those driveways. Mr. Shaw stated the Town will have a big role, because if these driveways are not constructed then it is the Town using the money that has been posted by the applicant that will go in and do it. Mr. Shaw stated the Planning Board has nothing further to do with this project once those conditions have been satisfied. Ms. Mayle stated she would like to see that type of agreement, because if the Town has to come in and construct driveways after the fact, she doesn't know what the cost to the Town would be and what happens if it is two or three years later. Mr. Shaw replied that it has to be done in two years. Ms. Mayle stated would it have to be sent out to bid for private contractors to complete it, is the Highway Department expected to complete the road construction for those driveways, how is that going to work? Mr. Shaw stated those are questions that will ultimately be decided by the Town. Ms. Mayle stated she felt that the Planning Board should see that agreement, there needs to be a clear outline of what that agreement is because there may be recommendations from this Board. Ms. Mayle added that she did not know if the Town Board would even accept this agreement. Mr. Shaw stated that is a good question that would have to be asked of the Town. Mr. Stenger stated he wanted to make clear on this record so that everyone understands when they are asking for conditional approval, they have to have the ability to get to the Town Board, and a conditional approval does not just mean that himself and the Planning Board Attorney work out language satisfactory to the lawyers, it has to be placed in front of the Town Board for a vote. Mr. Stenger added if the Town Board says they are not going to accept that, then they have got to come back before the Planning Board. Ms. Mayle stated she would like to see an outline of what the terms and conditions are, she would like to see the final map and make sure that everything has been taken care of, and give recommendations to the Town Board as to what the Planning Board thinks should be in the terms and conditions for this type of an agreement, and find out from the Town Board if this is something that they really want to do. Mr. Stenger stated the question of bonding those lots has been before this Board for at least four to five meetings. Ms. Hilbert asked Mr. Clouser if he had any comments. Mr. Clouser stated that he did want to have the Supervisor, Mr. Croce, hear about the Stormwater District on that basin, because they talked about that at the April 1st. meeting. Mr. Clouser stated he looked at the old file on this (Chaissan 4 lot subdivision), and knew that there was off site drainage coming through. Mr. Clouser stated at the time when the first lots were being planned, the Ulster County Highway Department said there was a problem with drainage on Crescent Avenue, and that the drainage would have to be cut off up the hill and it should be taken someplace else. Mr. Clouser stated they put a ditch through the new lots and picked up not only drainage on those new lots, but also way up to the North. Mr. Clouser stated the basin had been in operation for five years and it was absolutely clean, there was nothing that had to be removed from it. Mr. Clouser stated it was decided that this is not anything that was going to take a lot of maintenance, and would be the responsibility of the owner of that big lot (lot #4 of the original subdivision). Mr. Clouser stated that is the reason there wasn't a drainage district formed on this one. Mr. Clouser stated it was partially the former Superintendent's suggestion and from the looks of the basin at the time, after five years, it made a lot of sense. Ms. Hilbert stated there was a lot of conversation between herself and the

Highway Superintendent, and Mr. Clouser and Mr. Croce as to whether or not to create a drainage district for these lots, whether or not you can include the previous lots that were part of phase I subdivision into a drainage district, and after a good three or four days, the general consensus was that because of the layout of the lots currently as they stand, lots #1, #2, #3 and #4 and #5 because they all drain towards the rear of the property, there would not need to be a drainage district set up because they would drain themselves and there wouldn't be an issue with runoff. Ms. Hilbert stated herself, Mr. Matthews and Supervisor Croce and the Highway Superintendent went out last week and did an inspection of Palazzo Lane and the retention pond and also viewed the culvert that goes underneath for any potential problems and they all sort of felt that there didn't appear to be any additional problems with drainage. Ms. Hilbert stated there was a conversation as to whether or not they can include the original 3 lots in a drainage district and after some communications, she does not believe that there is any legal right to force them into it, if the property owners do decide they want something then they would have to petition the Town to create it, but at this point, the Town has no legal authority to go out and require them to be in a drainage district and pay for it. Mr. Wilkin stated when the agreement does go to the Town Board, in the wording of the agreement, it should be clear that they say the "Town Engineer" will be responsible for inspecting the driveways, not the Planning Board Engineer. Mr. Wilkin asked if the bond would be posted before the Planning Board signs the final maps. Mr. Shaw stated, absolutely. Mr. Wilkin stated Mr. Stenger had talked about a two year build out for the driveways, from what date does the clock start? Mr. Stenger stated it has to start from the date the bond is posted. Mr. Wilkin asked who would be monitoring the two year date. Mr. Stenger stated it is not a Letter Of Credit, so it would not expire. Mr. Croce stated that from what they discussed, Mr. Stenger and Mr. Shaw were going to formulate some form of agreement, forward it to the Town and the Town would forward it to their attorney and they would all develop this document. Mr. Croce stated the thing that bothers him the most is that he did not think the Town wants to be in the business of building driveways, so if the driveways are not built, obviously the Town has the money to build it, but he is a little apprehensive. Mr. Croce stated he had mentioned at the meeting why wouldn't the developer just put the driveways in, and there were reasons why that wouldn't be done, but he is concerned about the Town getting involved in building driveways on private lots. Mr. Croce stated if you do not sell the lot and the driveway is not built at the end of two years, they have access to that bond, but the Town still has the dilemma of who is going to construct the driveway. Mr. Croce added that he did not want to put undue burden on the Town for the construction of these driveways. Mr. Shaw stated what you would have to do, is, whatever the cost estimates of what Mr. Clouser comes up with should take into account the Town would have to hire a private contractor with prevailing wage and have someone construct it. Mr. Clouser stated the cost estimate for the driveways do not include prevailing wages. Mr. Croce asked Mr. Clouser if a project like this required prevailing wage? Mr. Clouser stated yes, it is a public bid. Mr. Croce asked Mr. Clouser if the prevailing wage was taken into consideration when they came up with the dollar figure for the driveways. Mr. Clouser stated no, the number they have, including the inspection of the driveways was \$111,000.00 and you would need to put another 30% on top of that. Mr. Stenger stated that the bonding number has to be approved by the Town Board, not by the Planning Board. Mr. Stenger stated he has a buyer, and he needs to tell that buyer that they have final approval subject to working this out. Mr. Stenger stated he would like to get something definitive tonight.

Mr. Shaw suggested that the Planning Board consider a motion for a final conditional approval and outline the essential terms, and by the next meeting they will have a written resolution embodying conditional final approval, and have the essential terms in writing and this Board can tweak that, and in the meantime, at least some discussions can move forward with the Town Board. Ms. Mayle asked if Mr. Shaw meant that the Planning Board would be giving the applicant conditional final approval tonight. Mr. Shaw stated he is saying that the Planning Board could give them conditional final approval tonight which is going to be ultimately embodied in a written resolution, because you don't have time to do that this evening. Ms. Mayle asked what happens if the Board gets a written resolution and the Planning Board doesn't like it, what does that do to the conditional final approval? Mr. Shaw stated that the written resolution is not going to be too divergent from what they have talked about tonight. Mr. Stenger stated maybe the easiest way to handle this would be to have a motion tonight directing the Planning Board Attorney to make a resolution of conditional approval and present it to the Planning Board next month.

MOTION: Mr. Wilkin made a motion to have the Planning Board Attorney draft a resolution that embodies all the discussion the Planning Board has had for a conditional final approval. Mr. Baum seconded the motion.

On discussion: Ms. Mayle asked if the Planning Board could send this applicant to the Town Board with this project, so they could get the Town Board's input to at least approve the concept of the bonding. Mr. Shaw stated the applicant could go to the Town Board on their own. Mr. Croce stated the applicant could be on the agenda for next Wednesday (April 16, 2014). Ms. Hilbert asked Mr. Clouser if he would update his cost estimate to include prevailing wage. Mr. Croce stated he would like the Chairperson or a member of the Planning Board at that April 16th. Town Board meeting when the applicant comes in front of them. Mrs. Beinkafner asked if after two years the bond could be renewed, if there is a driveway or two left to be done? Mr. Shaw stated they have two years to do the driveway. Mr. Stenger stated one of the things that was going through his mind when they were talking about prevailing wage is that he may be looking at some sort of Letter of Credit on one or two of the lots. Mr. Shaw stated the big thing with Letters of Credit is that someone has to keep them on their calendar. All ayes on the vote.

Ulster County Planning Board comments

Mr. James stated that they needed to vote to overrule the Ulster County Planning Board comments.

MOTION: Mr. Wilkin made a motion to override the Ulster County comments on the inter-connection because of the nature of the terrain in the area. Mr. Matthews seconded the motion. On the vote: Ms. Hilbert-aye Mr. Wilkin-aye Mrs. Beinkafner-aye Mr. Matthews-aye Ms. Mayle-aye Mr. Baum-aye

Mr. James indicated he would provide the Planning Board with new plans.

Orchard Hill Subdivision continued:

Ms. Hilbert stated at the last Planning Board meeting, Attorney Peter Frank had dropped off letters of concern that he had, as well as some of the residents along Palazzo and Crescent Ave. Ms. Hilbert asked Mr. VanRoestenberg, a member of the audience, if he wanted to speak regarding this application. Ms. Hilbert stated that she knew Mr. VanRoestenberg was interested in re-opening the public hearing. Ms. Hilbert stated she did not believe that the Planning Board would support that unless Mr. VanRoestenberg had some new information. Mr. VanRoestenberg stated that some of the neighbors were concerned about flooding, and he would just be reporting back to them.

The Planning Board Attorney will draft a final resolution for the Planning Board's review.

NEW BUSINESS

Usher-proposed two lot subdivision (Tuckers Corners Road)SBL#94.4-2-26.15

Doug and Sandy Usher, owners of the property, were present. The Planning Board members reviewed the map dated March 24, 2014. Mr. Usher stated the property is located on Tuckers Path. Ms. Hilbert asked Mr. Usher if he would give a quick overview of the project for the Planning Board. Mr. Usher showed on the map where the proposed lots would be located, stating that he has the Ulster County Board of Health approval already for the septic systems. Mr. Usher indicated the wetlands would not be disturbed. Ms. Paltridge read through Praetorius and Conrad's response comments dated March 28, 2014. Ms. Paltridge stated she would need a copy of the updated EAF, checklist and the Ulster County Board of Health approval for the lots. Mr. Clouser stated this project should be a coordinated review because the Town of Lloyd is involved. Mr. Usher stated he has already met with the Town of Lloyd, and all they need is a letter from the Planning Board indicating the Town of Plattekill Planning Board would take lead agency, because they feel they have no interest, and it would not affect any change in the Town of Lloyd. Mr. Usher showed the Planning Board the road maintenance easement on the map. Ms. Mayle asked if this was in the Agricultural District. Mr. Wilkin stated the Agricultural Notes are supplied on the plan, but the applicant did not supply the Agricultural Data Statement. Mr. Wilkin asked if the disturbance was less than one acre. Mr. Usher stated it is 0.6. Mr. Wilkin stated this application will not be required to go to the Ulster County Planning Board for review, and even being adjacent to an Agricultural District does not trigger that. Ms. Mayle stated she had some questions on the Short form EAF; number 9-*"Does the proposed action meet or exceed the State energy code requirements-*which was checked yes. Mr. Usher stated his Engineer checked yes, and he is proposing that whoever builds will build an energy efficient home. Ms. Mayle stated if it is checked yes, then, it states *"If the proposed action will exceed requirements describe design features and technologies.* Ms. Mayle stated if it exceeds requirements then it looks like the applicant will have to add some information. Mr. Clouser stated they have to meet the codes to get the building permit, and there is an energy calculation that you have to do. Ms. Mayle stated number 10-*"Will the proposed action connect to an existing public/private water supply-*it says "no." Mr. Usher stated it has a well listed on the map. Mr. Wilkin added that the well was not existing. Ms. Mayle stated number 15-*Dos the site of the proposed action contain any species of*

animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Mr. Usher stated his Engineer told him apparently somewhere in this region there is an endangered bat species and a species of tree frog. Mr. Wilkin asked Mr. Usher if he had any hickory trees on the property. Mr. Usher stated he did not.

MOTION: Mr. Wilkin made a motion that the Plattekill Planning Board take Lead Agency with Mr. Baum seconding the motion.

On discussion: Ms. Paltridge stated they would have to circulate for Lead Agency first. Ms. Paltridge stated the Planning Board could type the action and then circulate. Mr. Wilkin stated he would withdraw his motion.

MOTION: Mr. Wilkin made a motion for intent of Lead Agent by the Plattekill Planning Board and to circulate for Lead Agency. Mr. Baum seconded the motion. All ayes on the vote.

MOTION: Mr. Wilkin made a motion to type this project as an Unlisted Action with Mr. Baum seconding the motion. All ayes on the vote.

There was a determination that the two involved agencies would be the Plattekill Highway Department and the Town of Lloyd Planning Board.

MOTION: Mr. Wilkin made a motion to *grant sketch plan* approval with Mr. Baum seconding the motion. All ayes on the vote.

Ms. Paltridge stated the next step regarding the threatened and endangered species would be to send a letter to the Heritage Program. Ms. Mayle asked if Mr. Usher had someone go out to the site to do some investigation regarding the threatened and endangered species. Mr. Usher stated his Engineer was out at the site doing perk tests and he marked the whole perimeter of the property and he said that this was not a site for them. There was an indication that the habitat assessment would have to be done by a certified professional. Ms. Hilbert suggested that Mike Norwicki would be able to do a habitat assessment of the property.

The applicant will get a habitat assessment done on the property and be scheduled for an upcoming agenda. There is a thirty day time frame for circulating for lead agency.

Dippel/Parker-Lot Line Revision(Plains Road)SBL101.3-7-18, 101.3-1-3

Mr. David Dippel, Surveyor, was present to represent the project for both parties involved for a Lot Line Revision. The Planning Board members reviewed the map dated February 14, 2014. Mr. Dippel gave the Board a quick overview of the Lot Line Revision indicating there was a long standing encroachment issue. Mr. Dippel explained that the Parker property had a garage over the town line encroaching onto the neighboring property which is owned by TJ Dippel Realty, LLC, which is located in the Town of Shawangunk. Mr. Dippel stated that the Parker property would be getting 0.20 acres of property. Mr. Dippel stated that creates an unusual situation in that while according to the deed it will be one parcel, it is going to create a taxable parcel in the Town of Shawangunk. Mr. Dippel stated they made applications to both towns and they were at Shawangunk last week. Mr. Dippel stated he would like to know what he needs to do to get this done, it is his understanding that it may require some ZBA action in the Town of Shawangunk. Mr. Dippel stated he would like to know what they are looking at in the Town of Plattekill.

Mr. Wilkin stated that he did not know if this would need to go to the Zoning Board in the Town of Plattekill for a determination, if there is a different law for non-filed plats, and you are not modifying anything that the Planning Board has done, the Planning Board would have no jurisdiction. Mr. Castillo, Zoning Board Chairman was in the audience and stated that the Town of Shawangunk is making a sub-standard lot and it is going to have two tax map parcels, that is why it may be going to their Zoning Board for a variance, but the Town of Plattekill is making the existing parcel more conforming. Mr. Castillo stated he felt that this would not need to go to the Zoning Board in Plattekill. Ms. Hilbert asked the Shawangunk Chairman, who was in the audience, if he would copy the Town of Plattekill on any correspondence he received from their Building Inspector. Ms. Mayle stated it sounded like the lead agent in this particular project would be the Town of Shawangunk. Mr. Dippel stated that he would work with the Town of Shawangunk and get through the process with them, and then they would come back to the Town of Plattekill. Ms. Mayle stated this Board would still have to approve the Lot Line Revision. Ms. Mayle stated they could do a coordinated review for SEQRA. Ms. Hilbert asked the Shawangunk Planning Board Chairman if he could do a coordinated review for SEQRA. Mr. Wilkin added that the Shawangunk Planning Board meetings are the first Tuesday of the month. There was a determination that the Planning Board minutes would be sent to the Town of Shawangunk for their file.

The applicant will keep the Plattekill Planning Board up to date on their review before the Shawangunk Planning Board.

VOUCHERS

Jason Shaw, Planning Board Attorney

Voucher-in the amount of \$40.00 for review of an email to come out of the Orchard Heights Subdivision escrow fund.

MOTION: Ms. Mayle made a motion to approve the voucher for payment with Mr. Baum seconding the motion. All ayes on the vote.

David Clouser, Planning Board Engineer

Voucher-in the amount of \$377.90 to come out of the Usher Subdivision escrow fund.

MOTION: Mr. Matthews made a motion to approve the voucher for payment with Mr. Baum seconding the motion. All ayes on the vote.

Additional Escrow Replenishment

Orchard Heights-increase in escrow of \$3,000.00

MOTION: Ms. Mayle made a motion to increase the Orchard Heights escrow by \$3,000.00. Mr. Matthews seconded the motion. All ayes on the vote.

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Additional Escrow Replenishment continued:

Usher proposed 2 Lot Subdivision-increase in escrow of \$500.00

MOTION: Ms. Mayle made a motion to increase the Usher Subdivision escrow by \$500.00 seconded by Mr. Matthews. All ayes on the vote.

ADJOURNMENT

MOTION: Ms. Hilbert made a motion to adjourn with Mr. Matthews seconding the motion. All ayes on the vote.

The meeting adjourned at 11:00 p.m.

Respectfully submitted by
Susan Bolde, Planning Board Clerk