

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

MARCH 28, 2017

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 (arrived at 7:55 p.m.), Nathaniel Baum, Darryl Matthews,
Lorraine Morano, Richard Gorres

MINUTES

February 14, 2017

MOTION: Mr. Gorres made a motion to move the minutes to the end of the meeting
with Mr. Baum seconding the motion. All ayes on the vote.

PUBLIC HEARING

**Kitty Lane Properties LLC-Proposed 6 Lot Subdivision (Huckleberry
Turnpike)SBL#108.1-5-3.11**

Ms. Brooks was present to represent the applicant, along with Ms. Nadine Carney. Ms. Hilbert read the public hearing notice. Ms. Carney presented the proposal to the audience and Planning Board members. The public hearing was opened to the public for comment. Mr. Abraham Lechner of 177 Huckleberry Turnpike had several concerns about the proposed six lot subdivision. Mr. Lechner's concerns were; stormwater runoff, the entrance road to be built right next to their property, traffic and privacy concerns. Mr. Lechner also stated that there were mature trees on the property that would be eliminated due to the construction of the road. Mrs. Lechner had a concern about what would happen to the trees on and along the rock wall, the devaluation of her property, runoff and privacy concerns. Mr. & Mrs. Lechner's son presented pictures to the Planning Board members showing water retention in areas of the surrounding property, he also asked why the road couldn't be built on Sawyer Way. Mr. Huff of 123 Huckleberry Turnpike had a concern about flooding. Ms. Charlene Perrin of 7 Sawyer Way had a concern about buses not going all the way up Sawyer Way Road. Ms. Perrin also asked about the square footage of the homes that would be going in the development, because she was concerned that her property values would go down if the square footage was 1,200 or 1,500 square feet. Ms. Perrin also did not want the entrance road to the proposed development to be placed on Sawyer Way. Ms. Russo was representing a homeowner in the neighborhood and stated that her concern was

property value. Ms. Russo stated that homes in Sawyer Way range around 2,400 square feet. A member of the audience had a concern about dust coming from the unpaved, gravel entry road. In response to the concern regarding eliminating the mature trees along the Lechner's property line, Ms. Carney indicated that she could look at the possibility of shifting the entry road closer to the wetlands to preserve some of the mature trees bordering Mr. & Mrs. Lechner's property line. In response to a concern about clear cutting the tree line in the back of the Lechner's property line, Ms. Brooks stated that she and Ms. Carney would do a tree survey along the rock wall in the back of Mr. & Mrs. Lechner's property. Ms. Carney also stated that there would not be any clear cutting on the proposed lots and that only the building envelope and the septic areas would be cleared. In response to the request to move the entrance to the proposed subdivision to Sawyer Way, Ms. Carney stated that The Army Corps of Engineers would not allow a road to go through the wetland area when there is already an access on Huckleberry Turnpike. In response to the entry road being gravel and not paved, Ms. Carney stated that the Stormwater calculations took into consideration that the road may be paved at some point, and the calculations were done as if the road was impervious. In response to the concern about square footage requirements, Ms. Brooks indicated that the owner of the property has not indicated there would be a square footage requirement, and if there would be one it would be indicated in the deed. Mr. Wilkin stated that the Planning Board cannot require applicants to put a square footage designation on the proposed house, the Planning Board looks at health, safety and welfare and makes sure that the application meets the zoning code of the Town. Several people went up to view the map which was presented for the public hearing. Mr. Gorres asked if anyone else in the audience had any further questions or comments. There were no further comments from the audience members.

MOTION: Mr. Gorres made a motion to close the public hearing with Mrs. Bienkafner seconding the motion. All ayes on the vote.

Ms. Carney stated that she would be looking at the possibility of moving the road entrance over closer to the wetland area and away from the Lechner's property line. Mr. Clouser stated that Ms. Carney should show an easement around the frontage of the lots for the utilities. Ms. Carney stated that in the next submission they will include all the information that has been discussed. Ms. Brooks stated they will do a tree survey and add the sight distance to the map.

The applicant's representative will make the necessary revisions to the plan and submit their information for continued review by the Planning Board.

DISCUSSION

Avlexica LLC Bedell Avenue 95.3-3-11,12,13,14

Ms. Brooks was present to discuss whether Avlexica would have to go before the Planning Board for consolidation of the lots. *Ms. Brooks read a letter from Attorney*

Stewart T. Schantz dated December 18, 1972 stating that ...“after detailed study, I have come to the conclusion that the Town Planning Board has no jurisdiction or authority in connection with the proposed commercial subdivision of lands within the Town of Plattekill.’ Ms. Brooks stated sub-sequentially they went through a subdivision procedure and filed the map anyway. Mr. Wilkin stated that he read the letter, and it was considered a commercial subdivision at the time and not a residential subdivision. Mr. Wilkin added that there were laws for residential subdivisions at the time, but not commercial subdivisions. Ms. Brooks stated that she would need to get the map filed so that it is one parcel for re-zoning to the RR1.5 so that it will be conforming in density. Ms. Brooks stated in the Town Code it says ...“ *a sub-divider may wish to replace a subdivision plat with a changed or improved one, such an act, referred to as re-subdivision can be treated by the Planning Board as though it was an original plat...*” (NYS Town Law, section 276). Ms. Brooks stated she wanted to make sure that since the original plat was filed, but never approved, that the Planning Board would feel comfortable with her filing this plat without subdivision approval. Mr. Wilkin stated he did some research on this and the way the law is written if a plat is filed, then the Planning Board has to review it. Ms. Brooks stated she wants to do this the right way. After a short discussion with the Planning Board a decision was made to set this application up for a public hearing. SEQRA was completed.

MOTION: Mr. Wilkin made a motion that the 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 Mr. Gorres seconding the motion. All ayes on the vote.

MOTION: Mr. Wilkin made a motion to declare this a Negative Declaration with Mr. Gorres seconding the motion. All ayes on the vote.

A public hearing is scheduled for April 11, 2017.

S.L.W. Holding L.L.C. Prospect Hill Road & Quaker St. SBL#107.1-3-35.121

Mr. Jonathan Cella was present as representative to the applicant Mr. George Keyer. Mr. Keyer was also present. Mr. Cella stated that the current applicant now owns the property and they have come back before the Planning Board to get a referral to the ZBA for a variance to look at the block building. Mr. Cella explained that the majority of the block building is on lot #2 and it extends onto the Town's right-of-way, they are proposing to trim the building back so that it all lies on the property. Mr. Wilkin asked Mr. Cella how far back the building would be from the property line. Mr. Cella stated they were proposing to cut the building back three or four feet so it would be a foot from the property line. Mr. Gorres stated the overhang on the building can't be on the Town property either. Mr. Wilkin stated he is concerned about the safety issue of Mr. Keyer working on the building in the Town right-of-way. Mr. Wilkin asked where would the access to the building be located? Mr. Cella

stated that they have a driveway access to Mr. Keyer's property and would not be asking for another access for a second driveway. Mr. Wilkin asked Mr. Cella if the building would be for private or business use? Mr. Keyer stated the building would be for his private use. Ms. Hilbert stated the Planning Board is concerned about the doors accessing Prospect Hill Road. Mr. Cella stated that would be the door they would be knocking down and would pull it back to the property. Mr. Wilkin stated the concern of his would be if work needed to be done on the building, on the property line without some sign-off from the Town. Mr. Wilkin stated that the ZBA may ask the Town to sign off on the building because a member of the Town Board had some comments on it. Mr. Cella stated that was when they were not proposing to change anything. Mr. Cella stated right now they are asking to be referred to the ZBA so that they can hash all this out with the ZBA. Mr. Wilkin stated he is just listing what he thought would be the issues. Mr. Gorres stated he has no problem with them going to the ZBA for a variance for the building. Mr. Matthews stated that gutters could be put on the building to mitigate water issues. Mr. Wilkin asked Mr. Keyer if he owned all three lots. Mr. Keyer stated yes, he did. There was discussion regarding whether this would be classified as a site plan modification or subdivision with map change, (amendment to a subdivision). The Board was polled regarding sending a memo to the ZBA explaining to the ZBA the circumstances of the variance request. There was a determination to send this application to the ZBA so that the applicant could request a variance for the building. *Mr. Cella will submit a variance request to the ZBA in order to modify the existing building currently in the Town's right-of-way.*

MINUTES

MOTION: Mr. Gorres made a motion to approve the minutes with corrections with Ms. Morano seconding the motion. All ayes on the vote.

VOUCHERS

Vouchers for engineering review by Planning Board Engineer, David Clouser

APPLICANT	AMOUNT	MOTION
Kitty Lane Subdivision	\$111.75	Mr. Gorres/Mr. Baum
Kitty Lane Subdivision	1,438.35	Mr. Gorres/Mr. Baum
Shawangunk Estates	440.00	Mr. Gorres/Ms. Morano

ADJOURNMENT

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

The meeting adjourned at 10:00 p.m. Respectfully submitted by
Susan Bolde, Planning Board Clerk

