

TOWN OF SHANDAKEN PLANNING BOARD
MINUTES FOR PUBLIC HEARING & REGULAR MONTHLY MEETING 5/8/13

The Public Hearing was opened by Chair Joanne Kalb at 7:00 PM with the Pledge of Allegiance to the Flag. The Secretary called the roll, advised that a quorum was present and that the meeting could commence.

ROLL CALL:

Don Brewer	Present
Art Christie	Present
John Horn	Present
Joanne Kalb	Present
Joan Munster	Present
Faye Storms	Present
Cliff Rabuffo	Present
Roll Call Summary:	7 present 0 absent

Others Present: Rob Allison, Bob Kalb, Ann Tucker, Christopher Neal, David Walsh, Keith Holmquist, Tim Trojan

New Business:

Case 2013-06 Ann Tucker 10 Shuhose Rd. Mt. Tremper, NY requesting a lot line adjustment for property located at 8 & 10 Shuhose Rd. SBL# 25.15-1-10 & 25.15-1-11 Zoned R3. She is seeking to combine two pre-existing, non-conforming size lots to one conforming lot.

Ms. Tucker explained that she has horses and needs to combine the two lots to be in compliance with current zoning laws. The board reviewed the maps that Ms. Tucker presented. They asked how many horses she has, she has three. They also explained there are three sheds and two paddocks for the horses. They also explained that they give away the manure to any neighbors wanting it. There being no other questions from the board a motion was made by member Art Christie to approve the lot line adjustment as presented. Seconded by member Faye Storms, all members present in favor.

Case 2013-07 Lee Parker 51 The Hemlocks, Roslyn, NY seeking a lot line adjustment for property located on Kelly Rd. and Todd Mountain Rd. to combine five parcels located in the Town of Shandaken into one.

Mr. Allison is here representing Mr. Parker. He explained that these parcels are also located in the town of Middletown and they have combined them through the Planning Board in that town. He reviewed the maps presented with the board and explained which lots were being combined.

The board having no further questions, a motion was made by member Don Brewer to approve the lot line adjustment as presented. Seconded by member Cliff Rabuffo, all members present in favor.

Case 2013-08 David Walsh 377 Rector Pl. #19F New York, NY seeking to subdivide SBL# 14.1-2-6.13 into three lots located on Cinder Rd. Chichester, NY Zoned R1.5.

Mr. Walsh is here and presented maps for the boards review. He explained the current lot and how he would like to subdivide. He indicates that the Health Department has given approval for septic on these lots. He pointed out where the proposed lots and leeching fields would be. The one lot would be a long and narrow lot. He indicated he would most likely require a variance for a side yard setback on lot C in order to build. He indicates the house without the variance would have to be sixteen feet wide. A discussion ensued on the different lots and sizes. Mr. Walsh has indicated that Lot C is viable for building a house and he would not like to see a trailer put on and has considered building a house for himself. Member Art Christie brought up the minimum right of way width is no less than fifty feet. Mr. Walsh indicates that Cinder Rd. is pre-existing and that should not apply. They also questioned the radius turn for emergency vehicles. Mr. Walsh indicated that there is a spot. Member Christie

indicated this would have to be added to the map. Member Christie had the board look at section 105-22 in the Town code book, which is the preliminary plat list indicating what is needed for submission. The board read these aloud. Mr. Walsh responded that many of these things are appropriate for new sub-divisions but this is an existing sub-division. Member Christie indicated that these need to be answered and get the other lots approved for septic and bring that letter to the board. Further discussion ensued and Mr. Walsh would like the board to approve this contingent upon the Department of Health approval and would like the board to waive the two hundred foot minimum width requirement for lot C. He feels he cannot go to the Zoning Board of Appeals for a variance on a lot that doesn't yet exist. Member Christie indicated that the Planning Board cannot waive that. Additional discussion continued on this matter. The final question being can the Planning Board waive the minimum lot width requirement? Member Christie indicated the Planning Board cannot create a non-conforming size lot. The board indicated that they do not have approval from the Health Department approving the septic. Mr. Walsh would like the board to approve this contingent upon the approval. The Board has indicated they are not willing to do this as there is additional information needed before they can consider approving. Mr. Walsh continued to argue his case. The Secretary will contact the town attorney to determine if the Board can waive the minimum width requirement.

1. Old Business: None

Other Business: There were questions if we had received the engineered stamped plans on the Phoenecia library, the secretary indicated we had not. Al Frisenda the current Building Inspector, ZEO and Flood Plain Manager will be overseeing this project to make sure it is complying with FEMA flood plain regulations.

Bob Kalb is here representing the Ulster County Planning Board. He indicated there is a meeting on May 22, 2013 on the Belleayre project. There is money for the town for flood mitigation for planning and engineering. A discussion ensued on the Belleayre project. Mr. Kalb indicated there was a notice that Congress no longer subsidizes flood insurance. Another discussion was held on the Agricultural codes in section 116-30 of the Town Code.

Approval of the minutes from March and April: A motion was made by Chair Joanne Kalb accept the minutes as presented. Seconded by member Joan Munster, with all members present in favor.

There being no further business a motion was made by member Faye Storms to adjourn the meeting. Seconded by member Cliff Rabuffo, all members present in favor.