

TOWN OF GREENVILLE PLANNING BOARD

May 25, 2010

Greenville Town Hall

MEETING CALLED TO ORDER AT 7:32 PM

PLEDGE

INTRODUCTIONS

Roll Call: Arnie Cavallaro/Chairman, Ken Elsbree, Orloff Bear, Jr., Don Teator/Alternate, Helena Kosorek/Secretary
Absent: James Barry/Alternate, Tal Rappleyea/Town Attorney, Brian Wickes, Vice Chairman

Guests: Ronnie Campbell

Mr. Cavallaro: Notice to those present- Board is working without an agenda for this meeting.

Meeting called to order by Board Chairman Arnie Cavallaro at 7:32p.m.

ACCEPTANCE OF MINUTES

Mr. Cavallaro asked for a motion to hold off on the approval of the meeting minutes of April 13, 2010 and April 27, 2010 until the next regular meeting as corrections are not available. Second: Don Teator All in Favor: Aye Abstained: 0

NEW BUSINESS

Case 2010-3 Thomas Newkirk - 2 lot subdivision of parcel -Tax Map 37.00-03 23

Mr. Newkirk requested approval for a 2 lot subdivision of a 15 acre parcel on King Hill Rd. in Freehold. He would like to divide the parcel in half. Note: Applicant has application and fee schedule. Check for \$25 was provided to the Board. Case # given- Case# 2010-3

When asked if there is any proposed building on the site, Mr. Newkirk replied "No." Mr. Newkirk has a house on one half and has a site plan for placement of a trailer for the other half. Chairman Cavallaro stated that this would be put on the calendar for the next regular meeting and to proceed through the rest of the site plan review.

The Board discussed if the lot was nonconforming because of the lack of road frontage. Mr. Newkirk stated he has been there for 10 years. Mr. Cavallaro noted the need for wording regarding maintenance of a shared access road. He also noted the road and setbacks are already in place. The acreage fits and there is a straight lot line.

Motion to accept the site plan and move to set public hearing for June 22, 2010: Ken Elsbree

Second: Don Teator

All in Favor: - Bear, Cavallaro, Teator, Elsbree

Abstained: 0

Motion moved.

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Abutters' letters and abutters list were explained and Mr. Newkirk was informed of need to show return receipts for all letters to abutters. Ronnie Campbell, Town Clerk, suggested Diane make a list for the applicant and one for the Planning Board.

Case # 2010- 3 Check received from David N. Newkirk for \$25, completed short environmental assessment form, and completed application with David Newkirk's signature. Above materials were given to Planning Board Secretary.

Ken Elsbree advised that since two lots were being created the case might have to go before the Zoning Board of Appeals first. Mr. Cavallaro stated the Town Attorney and the Code Enforcement Officer need to be consulted on the septic system. Ronnie said every septic has to be an engineered septic system according to state law.

Also, discussed was a question for the town attorney. "Is it necessary for a subdivision to have preapproved or an engineered septic design before it goes to public hearing?" Arnie will ask the attorney about this.

Ronnie Campbell said the applicant has to show the lot is buildable. She stated it takes time to get an engineer. However, he could still have the public hearing.

There is one map in the file. Mr. Cavallaro responded Mr. Newkirk is to proceed anyway towards the public hearing.

OLD BUSINESS

CASE 2010-2 WILLIAM PAVLICIN RE: CASE RECORDS

Mr. Cavallaro said William Pavlicin came before the Greenville Zoning Board of Appeals and before us for the substandard lot size subdivision. We did receive a copy of this. Comments: We will review it.

Board Discussion

Discussion on flow chart for directions for applicants, the Greenville Planning Board and Greenville Zoning Board of Appeals on matters that come before them with regard to applicants.

Ronnie Campbell suggested using the Tax Map # along with the application number be used as it is a good way to find things because names change and at least the first parts of the Tax Map number on a subdivision will be the same. You'll have the section, and the block will always be the same. The lot number will be the same with a point. If you are ever looking for something and it's the same number, except for that point, that will give you a clue it was already subdivided. Then you can check out when it was subdivided. Was it a year ago or twenty years ago?

Ronnie also stated this was a subdivision and not site plan review. A site plan is specifically for a use. If you are dividing you are doing a subdivision. A subdivision does not start with her. There is no application for a subdivision. She refers them to the Planning Board by giving them Mr. Cavallaro's e-mail and tells them to get on the

agenda for a meeting. She also tells them to get a surveyor. She doesn't know if things have changed.

Ronnie Campbell contributed the following: In the past, if 5 acres was asked to be subdivided from a 100 acre parcel (in a family) only the five acres would be surveyed. On the map it would be noted, (for the future) any further subdivision would require surveying on the entire property. Don Teator noted that was standard operating procedure. Ronnie said the Zoning Law is being rewritten but this procedure allowed reasonable actions. It lets people know that just because they got a two lot subdivision it doesn't mean they are going to get another one. The notation on the map prevents that.

Mr. Cavallaro asked Ronnie what the timeline is for an applicant goes through her and then the next person. Ronnie wasn't sure, they have their own separation, but Larry does code enforcement and Bill does the building. She gives it to Bill the next day. She never knew him to take more than a week. He is either going to approve it, deny it or refer it. If it's site plan he is going to refer it, if he's denying it goes to the ZBA, if they want a variance to appeal the denial but some people don't appeal the denial. The applicant gets the denied application to take to the ZBA. On the back of the building permit application the building inspector writes the reason for the denial with his signature. Ronnie said if a variance is needed it is also noted there. Mr.Cavallaro asked if the same application that was denied would come to the Planning Board. Ronnie said, yes, it is the same application and it would go along with the application for site plan review or special use permit. The denial is on the back of the building permit application where Bill would sign it and where the applicant signs it. It is also where the site plan is located. It would say there if it needs site plan review or needs special use permit. Those are the two reasons it would go to the ZBA.

Question- How does Tom Connolly, Zoning Board of Appeals Chair knows he has something waiting for him? Secretary and ZBA Chair could get e-mail from Code Enforcement or the Building Inspector that something is coming along. All agreed the more people notified the better.

It is important to have a number on the application. This shows he paid the fee. She showed an example with a variance. The example had a permit number at the top and that number shows it is in the system.

Ronnie suggested the secretary have a check list of what's necessary to have in the file to make sure everything is done. Every application should have the checklist.

Regarding the fee, under step three. It's up to the Planning Board. It's due at the public hearing but it could be overlooked then. The check goes to Joanne the Town Secretary and a copy of the check goes in the file. The secretary should have her own checklist, not just the site plan review checklist. Mr. Cavallaro stated he makes a packet for the file with the check and case # to give to the secretary.

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Don asked about steps one, two and three. Ronnie said cross out step 2b and 2c. She said that copies of the application don't need to go to the Town Clerk or to the Code Enforcement Officer.

The short environmental form (short SEQR) just needs to be filed 99% of the time. It is going to be standard. The other 1% or so takes a lot of work.

Ronnie reviewed Camp Malka. Someone is coming in for the applications for Building Permits this week for the four buildings and to refill the escrow. Ronnie said everything except a site plan should start with a building permit. This is the process. This standardizes it. There will be exceptions, like Camp Malka.

Ronnie said the applicant pays the fee to the Greenville Planning Board. Don't send them to her to pay the fee. Also, if people get refused by the Planning Board they are entitled to a refund minus \$50.00.

List of action to be followed: (Secretary can use this)

1) Applicant has to be asked for a building permit. If a person comes in you ask them, "Where is your building permit?"

Mr. Cavallaro said it streamlines the process. You either have a building permit and if you don't you are a subdivision. That directs the applicant to go to the Town Clerk to get a building permit. He agreed that the first thing on the check list should be to ask the applicant – Do you have a building permit?

Ronnie said it's up to the applicant to move forward because they have another form to give the Planning Board. They either have to give you a site plan or a special use application which is going to describe in more detail what their plan is. This only describes the building; the other is describing the rest of it along with a map, which we don't have. Bill only gets the map afterwards. And everything that you get on a site plan, not a subdivision, Bill should get a copy of it because he has to approve everything that is being done. Bill should get a copy of that map because he has to enforce what you approved, and that it is being done. For example, if there is supposed to be ten parking spaces and certain lighting.

2) So at the end, a copy of the completed file goes to the Building Inspector.

Note: Copy of Notice of Action is just from the Zoning Board. The Greenville Planning Board would issue a special use permit or a site plan approval with a map. Ronnie suggested going through the Town forms to review what forms the Planning Board is using. The book of forms is in the other filing cabinet.

You sign the map but there are stipulations. Regarding the map, if there are stipulations, i.e., sidewalks should be put in within a year. Who is overseeing this gets done? There should be a procedure.

Ronnie suggested they look through the Town binder that has forms. A form was found that was not being used. It needed to be upgraded anyway because the perk test is no

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longer valid. The Town forms are in the white binder in the old gray file cabinet to the right, in the lower drawer. There is a Planning Board section in that binder.

Ronnie quickly reviewed the flow chart and requested that where it stated the Town Clerk remove it in those later steps. Ronnie noted the website is being redone and each department is responsible for getting the agenda on the website themselves instead of giving it to Joanne. This can be sent up digitally.

Mr. Cavallaro said this will take further discussion but he did note that for the application to be complete there had to be an initial review of the application by Planning Board.

Ronnie said the word that used to be used was scoping. Don said we have to make sure everyone knows what that means. Ronnie noted this process considered the land but not the people. Step five has to be reviewed with Tal. Don asked about difference between SEQR and SEQURA – in step 4. Don circled it to ask Tal about it.

Don asked about step 6- 62 days. Secretary also writes up a notice of action. The Planning Board doesn't have a form like that.

Tal Rappleyea has to be asked if there needs to be a sign up for the public if the meetings are being taped. Potentially any town meeting can be taped. Tapes have to be kept for a year.

Next meeting is June 22, 2010 at 7:30 p.m.

Motion to adjourn: Ken Elsbree

Second: Don Teator

All in favor: aye

Opposed: 0 Abstained: 0

Meeting adjourned 9:02 p.m.