

Town of Greenville Planning Board

PO Box 38
Greenville, NY 12083

February 24, 2015

Minutes

Attendees: Bud Bear, Ken Elsbree, Don Teator, Brian Wickes, Arnie Cavallaro, and Danielle Badamo-Overbaugh.

Guests: Jackie Park (Town Clerk); Mark Overbaugh (Code Enforcement Officer); Michael Maxwell; Martin Schmidt (Kaaterskill Associates), Doris & Frank Vedder, and Tom & Nicole Ambrosio

6:34 pm Pledge of Allegiance

Public Hearing: Michael Maxwell – Subdivision: 9395 & 9397 SR 32 (Tax Map #51.03-1-16)

Motion to open public hearing for Michael Maxwell made by Don Teator.

Seconded by Ken Elsbree, All in favor: 5, Opposed:0, Motion Carried.

No Public Present.

Mr. Maxwell summarized his proposed plans for a subdivision at his property. The property is approximately .77 acres and is zoned as Hamlet Business. There are currently two residences on the parcel with a shared well, but both have a separate septic. The house was built in 1922 & the trailer added in 1986. As the minimum lot size in the Hamlet Business zoning district is .5 acres, any attempt to subdivide this property will create substandard lots. Mr. Maxwell will therefore require an area variance for lot size. Mr. Maxwell was granted a Notice of Action from the Zoning Board of Appeals for the 2 substandard lot sizes (0.43 & 0.37). Given with this, was a condition that a new well will need to be drilled on the new proposed lot. Board reviewed maps presented. Size of lots, ZBA conditions, and septic distances were reviewed. There was a discussion about the variances and the proposed position of the new well. Mark Overbaugh, made mention of a complaint made by a neighbor in regards to the sewage run off at the end of the South parcel. Mr. Maxwell will need to have the sewage problem repaired. Tal is being contacted with a question in regards to the time frame allowed from stamped date of approval until the conditions of the Notice of Action have to be met. All paperwork & requirements are in order at this time.

Motion to close public hearing for Michael Maxwell made by Don Teator.

Seconded by Brian Wickes, All in favor: 5, Opposed: 0, Motion Carried.

The SEQRA form was completed by Don Teator and signed by Arnie Cavallaro.

Motion to accept the SEQRA Review with negative declaration made by Ken Elsbree.

Seconded by Bud Bear, All in favor: 5, Opposed: 0, Motion Carried.

Motion to approve a subdivision at 9395 & 9397 SR 32 Freehold, with the conditions that the septic is repaired to meet required guidelines with approval from Building & Code Enforcement and that the well be drilled on Lot 2, made by Brian Wickes.

Seconded by Don Teator, All in favor: 5, Opposed: 0, Motion Carried.

Albert Vedder – Subdivision: 710 Old Plank Road (Tax Map #23.00-5-25.11)

*Motion to open public hearing for Albert Vedder made by Ken Elsbree.
Seconded by Brian Wickes, All in favor: 5, Opposed:0, Motion Carried.
Doris & Frank Vedder present for hearing.*

Martin Schmidt (Kaaterskill Associates) summarized the proposed plans for the subdivision of Mr. Vedder's property. The property is approximately 73 acres and is zoned as Rural Residential and Low Density Residential. The property lies within the Town of Durham and the Town of Greenville; as such the Town of Durham has been notified about the subdivision. Mr. Vedder plans to subdivide the property by using the road and barn as the dividing line. The Board was presented with surveyed maps showing how the property would be divided into 3 parcels; 2 will be in the Town of Greenville the other in the Town of Durham. Board members reviewed the maps and conducted a review of the project. Road width, space between dwelling to dwelling, and lot size were reviewed and are in accordance with the laws. There is an old standing barn, which will remain and will be sold with the parcel of land. There was discussion about the owner of that parcel obtaining a license, use and maintain; which means the owner maintains the barn, however if the barn were to fall down or burn down the owner would not be responsible to rebuild. Board discussed the 239 form that was filed with the County. The County has given word that there is no need for the County to be involved; it was decided this is to be a local decision. Tal was contacted with questions regarding if Mr. Vedder's Subdivision still falls under a Minor Subdivision, due to the division into 3 parcels. Tal has confirmed that "yes" this is still a Minor Subdivision. Mr. F & Mrs. D Vedder brought to the attention of the Board that one of the proposed subdivided lots has wetlands on it. Maps from 1987 were reviewed and proved that at least 12.5 acres of the largest lot to be subdivided have NY State Wetlands on it. Question was raised in regards to the fact that this lot may not be buildable in the future and that the proposed dividing lines may not allow for access to the property. The Board also discussed the set back line; Town of Durham allows for 10ft; which the proposed plans are in accordance with. Town of Greenville requires 50ft; which the proposed plans are "not" in accordance with. At this time there is more research that needs to be done to permit this subdivision. The Board is going to be in contact with Tal to ask if The Town of Durham or The Town of Greenville should be given Lead Agency or if a variance would need to be filed. Martin Schmidt is going to present the Board with delineated maps to show the concern over the Wetlands.

*Motion to close public hearing for Albert Vedder made by Don Teator.
Seconded by Ken Elsbree, All in favor: 5, Opposed: 0, Motion Carried.*

*Motion to have Arnie contact Tal with the best form of action; have Town of Durham be Lead Agent, File a Variance, or other possible actions made by Brian Wickes.
Seconded by Ken Elsbree. Don Teator called for Discussion in regard to having Tal contacted. All in favor: 5, Opposed: 0, Motion Carried.*

Thomas & Nicole Ambrosio – Subdivision: 287 King Hill Earlton Rd Surprise (Tax Map #38.00-6-13)

Mr. & Mrs. Ambrosio summarized their proposed plans for a minor subdivision at their property. The property is 77 acres and is zoned as Rural Residential. They plan to create one new lot, which would be 5 plus acres. The new lot would be accessed by a right of way that is noted in their current deed. Tal Rappleyea noted that although the right-of-way is referenced in the deed, the complete information about the right-of-way is recorded in a separate deed (Book 436 of Deeds page 742). Before they proceed, they should get the exact information on the right-of-way. Mr. and Mrs. Ambrosio found additional information on the right-of-way and provided a copy of the deed to the Planning Board. The

Ambrosio's own the right-of-way on their property, along with the right to travel on the right-of-way over the other parcels. As such, the newly created parcel will not be land locked because there is sufficient evidence of the right-of-way. Question was raised about how many driveways were allowed on a shared right-of-way; up to 3 are allowed. Board members conducted a preliminary review of the project, they found that the easement line should be 50ft; at this time it is not. Mr. & Mrs. Ambrosio will need to present the board with new maps showing the change of the property line and adjustment to the easement. There was suggestion made to waive the Public Hearing, after much discussion and establishing that Mrs. Ambrosio works for the Town, as a Grant Administrator, suggestion was passed on.

?The Board informed the Ambrosio's that a new road maintenance agreement would be required for final approval of the subdivision.

Motion to schedule a Public Hearing for Mr. & Mrs. Ambrosio's proposed Subdivision on March 24, 2015 at 6:30pm made by Don Teator.

Seconded by Bud Bear, All in favor: 5, Opposed: 0, Motion Carried.

James Sullivan-Subdivision: 3339 & 3335 RT 67 Freehold (Tax Map# 51.00-2-57.2 & 51.00-2-57.1)

Board reviewed the map presented from the applicant. The applicant was given approval on June 27, 2006 from the Planning Board for his subdivision with conditions. Applicant would like to not follow through with the noted conditions. Board members were in agreement that those conditions need to be met. Tal is also in contact with the applicant and their attorney.

Camp Malka

Mark Overbaugh (Code Enforcement Officer) gave an update on the situation. The camp is looking to build a bunk and storage unit. At this time all permits are being held for approval until the camp takes care of the fire and water tank situation.

Minutes – January 27, 2015

Motion to accept the minutes from the January 27, 2015 meeting made by Ken Elsbree.

Seconded by Don Teator. All in favor: 5, Opposed: 0, Motion carried.

Motion to close the meeting at 8:00pm made by Ken Elsbree.

Seconded by: Arnie Cavallaro. All in favor: 5, Opposed: 0, Motion carried.