

Town of Greenville Planning Board

PO Box 38
Greenville, NY 12083

March 24, 2015

Minutes

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

Guests: Martin Schmidt (Kaaterskill Associates), Mr. Vedder, Justin Pettit, Richard Lerner (Tranquility Camp/PPT Inc./Richard Lawrence), and Tom Ambrosio.

6:32 pm Pledge of Allegiance

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

Motion to open public hearing for Thomas & Nicole Ambrosio made by Don Teator.

Seconded by Ken Elsbree, All in favor: 4, Opposed: 0, Motion Carried.

Mr. Justin Pettit and Mr. Richard Lerner were present.

Mr. Ambrosio summarized his proposed plans for a minor subdivision at his property. The property is 77 acres and is zoned as Rural Residential. He plans to create one new lot, which would be 13.71 acres. The land would go to his sister and contain only one house. 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 in 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. It is currently 20 ft. Mr. Ambrosio presented The Board with surveyed maps. The Board informed the Ambrosio's that a new road maintenance agreement would be required for final approval of the subdivision. Question was raised if the right of way would be "grandfathered in" to the new owner of the proposed new lot. Tal is being contacted. The Board and public discussed the new Central Hudson poles that would need to be installed and others that might need to be repaired/or be brought up to code. Mr. Lerner on behalf of Mr. Lawrence addressed concerns with the right-of-way. He is concerned with the added traffic that this proposed subdivision will bring. Given the fact that Tranquility Camp and the Ambrosio's share assess to the road the added traffic with the children is a valid concern. Mr. Lawrence does not want the access granted. He would rather limit development and have the land in the surrounding area be forever wild. The Board declared that all paperwork is complete to move forward with granting the approval for the subdivision.

Motion to close public hearing for Thomas & Nicole Ambrosio made by Don Teator.

Seconded by Ken Elsbree, All in favor: 4, Opposed: 0, Motion Carried.

Motion to declare The Town of Greenville Lead Agency made by Ken Elsbree.

Seconded by Bud Bear, All in favor: 4, Opposed: 0, Motion Carried.

The SEQRA form was completed by Don Teator and signed by Brian Wickes.

*Motion to accept the SEQRA Review with negative declaration made by Ken Elsbree.
Seconded by Don Teator, All in favor: 4, Opposed: 0, Motion Carried.*

*Motion to approve a subdivision at 287 King Hill Earlton Rd Surprise, with the conditions that, Mr. & Mrs. Ambrosio have a new Road Agreement Signed by all parties; After discussion with the Town Attny verifying the concerns over the transfer of the Right of Way to the new owner of the Subdivided property and allowing the Chair or Co-Chair sign off upon completion made by Don Teator.
Seconded by Ken Elsbree, All in favor: 4, Opposed: 0, Motion Carried.*

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

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. 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. The Town of Durham and The Town of Greenville have both taken Lead Agency in regards to the their areas affected by the proposed subdivision. Martin Schmidt presented the Board with delineated GIS map to show the concern over the Wetlands. He showed The Board the there are 6 acres of non-Wetlands on the proposed subdivided lot. However, there is no driving access on the back of the property. New York State does have delineated maps of the area. A clause printed on the surveyed maps was written as follows "extensive Wetlands on proposed lot 2 prior to the issuance of any building permits the current owner must have the Wetlands delineated". The Board declared that all paperwork is complete to move forward with granting the approval for the subdivision.

*Motion to declare The Town of Greenville Lead Agency of our 2 subdivided lots made by Don Teator.
Seconded by Ken Elsbree, All in favor: 4, Opposed: 0, Motion Carried.*

The SEQRA form was completed by Don Teator and signed by Brian Wickes.

*Motion to accept the SEQRA Review with negative declaration made by Ken Elsbree.
Seconded by Bud Bear, All in favor: 4, Opposed: 0, Motion Carried.*

*Motion to approve a 2 lot subdivision at 710 Old Plank Road, for Mr. Vedder made by Ken Elsbree.
Seconded by Bud Bear, All in favor: 4, Opposed: 0, Motion Carried.*

Michael Maxwell

Discussed time limit allowed between granting a Notice of Action with conditions and having those conditions met. Tal has said in Mr. Maxwell's case he has until June to meet the conditions of the Notice of Action. An email is going to be sent requesting conditions be met in the new set time frame.

DeFrancesco

Discussed time limit allowed between granting a Notice of Action with conditions and having those conditions met. Tal has said in Mr. DeFrancesco's case he has until ____ to meet the conditions of the Notice of Action. An email is going to be sent requesting conditions be met in the new set time frame.

Camp Malka

Mark Overbaugh (Code Enforcement Officer) gave an update on the situation. The camp is looking to build a bunk and storage unit. Mark reported that he is working with Camp Malka on water for fire suppression ,and additional bunk house as part of phase 2.

Minutes – February 24, 2015

Motion to accept the minutes from the February 24, 2015 meeting made by Don Teator.

Seconded by Ken Elsbree . All in favor: 4, Opposed: 0, Motion Carried.

Motion to close the meeting at 7:52pm made by Ken Elsbree.

Seconded by Don Teator. All in favor: 4, Opposed: 0, Motion carried.