



**Hillsdale Planning Board Minutes
May 13, 2013**

Present: Hank Henward, Chairman; Patti Rohrlich; Mark Barbato;
Richard Freiman; Deborah Bowen; Bud Gardner; Vivian deGeorges, Secretary
Excused: Ellen Levy

Also present: Jeff Paige, resident and Green Solutions member; Gretchen Stevens, CAC

Meeting called to order at 7:30PM by Chairman Henward.

- 1. Dawson/Paster lot line adjustments Tax ID 115.-1-13 Dan Russell, surveyor; Mr. & Mrs. Dawson;
Mr. & Mrs. Pastor**

Received: One map; two applications complete with SEQRA, Ag statements, deeds; two checks, \$145 each.

Mr. Russell described the maps. He said that Mr. & Mrs. Dawson are in effect conveying two parcels to two different neighbors, the Pastors and the Gales, each parcel being 9.19 acres. The actual order of the adjustments are: Mr. & Mrs. Dawson convey Parcel A and B to the Pastors, then the Pastors convey Parcel A to Julie Gale.

There is a no further subdivision clause on the map, as well as a clause saying that any construction of structures habitable by humans on Parcel A and B is prohibited. The Dawsons will retain Parcel C of 25 acres. Mr. Dawson will continue to hay the fields owned by the Pastors, and the Gales will be gardening their field. The map will be recorded, one copy for each owner, at the County Clerk, since one map shows both lot line adjustments.

Mr. Henward asked for a motion to approve these lot line adjustments. Mr. Freiman made the motion and Ms. Rohrlich seconded it. The vote was all ayes.

Hillsdale Planning Board Minutes
May 13, 2013 continued

2. **Neil Costa; George Lagonia - Collins St. LLC minor 3-parcel subdivision Tax ID 136.-2-28**
37.5 acre lot; 212-397-1088

Received: map; DOH letter specifying septic system/placement; deed restrictions and common driveway agreement.

Mr. Costa told the Board that they've met with NYSEG and NYSEG has appointed a location for a pole which is indicated on the map and that they have the DOH letter for the perc test. He showed that on the map there are no-cut zones, approximately half of each lot. He said that they want to protect the old-growth trees and keep as much of the mature forest as they can. The culverts are indicated on the map and the common driveway is shown in detail – 364' long, average slope of 8.1% and the disturbance is calculated at .36 acres. The new deed numbers are shown on the map as well. The map shows 2' contours on the steepest part of the driveway and it's about a 10.1% slope. The deed restrictions and common driveway agreements have been sent to the attorney. One change in the maps is that the building envelopes have been changed from 200'X100' to 200'X200' as suggested by Serge Bervy.

There was discussion about the septic type – raised bed. Gravel will come from just to the north of the driveway. Mr. Barbato asked how many trees have to come down for the gravel. Mr. Costa said that the gravel has already been excavated so there aren't any trees to be cut. It's about 200'-220' from the road. Mr. Henward asked if the purpose of the gravel is just to do the common driveway and Mr. Costa said, yes, only to where it splits but not beyond. Mr. Barbato then asked how deep they are going with that part of the driveway. Mr. Lagonia answered that they don't want to excavate or change the topography but just to use the gravel that's there for the driveway. About 100 yards, 10 loads, will have to come out of there.

Ms. Rohrlich asked if gravel is a natural phenomenon and Ms. Stevens said that yes, it's from glacial formations.

Ms. Bowen had a question about #18 on the driveway agreement. She asked why things would change after 25 years. Mr. Costa said that they used this from a previous agreement which had been submitted to Dick Alford so he know it's been approved by them and doesn't know why 25 years was chosen. Mr. Lagonia explained that things might need to be renegotiated because of more traffic or another house or something so the driveway agreement allows for terms to be changed at some point. Mr. Costa then added that it says it will automatically renew for another 10 years unless changes need to be made. Mr. Henward said that Mr. Alford says it's a common clause for a 25 year renewable term.

**Hillsdale Planning Board Minutes
May 13, 2013 continued**

Mr. Henward asked about the driveway curves. Mr. Costa and Mr. Lagonia both said that they want to work around the trees and it's more aesthetically pleasing as well. It will also go towards the stone wall and then along the wall and that they want to keep it to 12' wide. Mr. Henward said that he's offered to walk it.

Mr. Henward talked about the part that's not in the no-cut zone. He said that he understands that what they're intending to do is take out some of the smaller trees, and cut dead material, basically cleaning it out. Then Mr. Costa said putting a shaded area of no-cut zone is hard as we're going in and picking what needs to be taken out and we intend to work around the trees, and feel the eastern part will be no-cut but the rest, working around the septic, building envelopes, power lines, we can't really say all no-cut, but we'll respect the large trees as much as we can. That's what we intend to do. Mr. Lagonia added that the trees are the key feature of this property.

Mr. Henward said that it would be good to put the leach fields on the maps. He also said that they spoke about no-cut buffers along the property lines, and it would be good to show those as well. He noticed that if the no-cut property line buffers are 100', as was mentioned, one of them would conflict with one of the building envelopes, so it would be good to define these buffers. There was then discussion about how to limit cutting by subsequent owners, and how to enforce that, but that having something written on the maps would at least give the new owners something to stand on if any of the other neighbors do something contrary to the intention of Mr. Costa and Mr. Lagonia. He suggested that we need to come up with some language, perhaps call it a mission statement, to put on these maps that can protect the forest to the extent possible.

Ms. Stevens agreed that nothing much can be done to enforce this, but Mr. Freiman said that adjoining neighbors would have some way to go after, sue, someone who's cutting too much if there are written agreements. Mr. Henward suggested something like "that it's the wish to retain as many of the trees as possible" and said they'd work on some language that can be put in the covenants as a statement of intent. Ms. Rohrlisch said that it would be a marketing tool to sell to people who want to live in the woods and have a protected environment. Mr. Henward then asked if the small lot, the one with the house, is also included in the covenants and Mr. Costa said it was.

This application will continue next month with a public hearing.

3. Luke Dawson site plan review for driveway at 457 Craryville Rd. 917-513-8930 Tax id 144.-1-69.112

Received: Maps of the parcel, including detailed topographical maps, aerial map, proposed site plan, proposed grading plan, proposed barn access drive profile.

**Hillsdale Planning Board Minutes
May 13, 2013 continued**

Mr. Dawson is planning to build a barn and needs to put in a driveway on a sloped area, near Sunnymead Farm. Mr. Dawson showed the maps and described what he wants to do. The barns that were on the property fell down prior to his buying the land, but he wants to rebuild a barn for their tractors and other tools. He showed on the aerial map where he wants to place the barn. Discussion over the various topographical maps showing in detail the slope of the proposed driveway area. Mr. Dawson told the Board why the curve of the road should be the way it is, not to have too sharp a curve along with too steep a rise. Mr. Barbato said that it seems like the steeper part of this parcel starts further back from the proposed road, which is being proposed on the flattest part of this parcel. Looking at the larger topographical steep slope map, Mr. Henward said that it doesn't look like it will be a serious problem. On a slope of 25% or more, there is no disturbance allowed at all, but this doesn't look like that. The Board needs to go out and look at it. Let's get your phone and email and we'll make a date to come see the property. 917-513-8930. 457@lukedawson.com.

This application will continue next month.

4. Otto Maier for signage approval for the Hillsdale Diner

Mr. Maier showed some pictures of the signs that he'd like to put up. The color scheme would be like the Hillsdale Town signs on 22 and 23. They'd be illuminated. One sign would be in the roofline and one a free-standing sign with plantings in the parking lot. Mr. Henward said that the limit is 20 square feet and two signs per business, but that with certain changes in material or lighting, "bonuses" can be given to make the signs larger. Mr. Maier said that the one on the roof would catch people at the light heading east, and the one on the driveway would catch people going north and south on 22. Mr. Henward read the sign rules from the Comprehensive Plan and gave Mr. Maier a copy to help him plan his design. Mr. Freiman asked if there is any way instead of illuminating it from within to illuminate from below or above. Mr. Maier said he would look into that. Lots of discussion about types of signs, neon, lit wood, interior lit plastic, etc. Mr. Henward said he'd talk to the building inspector and the ZBA and see about these considerations, but one thing that's certain is we'd like to see the roof sign not break the roofline.

This application will continue next month.

Mr. Henward asked for a motion to adjourn. Mr. Gardner made the motion and Mr. Freiman seconded it. All ayes.

Mr. Henward adjourned the meeting at 9:15 PM.

The next meeting of the Planning Board will be Monday, June 10