



Planning Board Minutes 11/12/24 Draft

Members Present:: Barbara Olsen Pascale, Chairperson, John Avenia, Mark Barbato, Brandon Lentine, Richard Frieman
Absent: Bud Gardner

Elizabeth Sheer, Planning Board Secretary, recorded the minutes

Others attending: Dan Russell, Pat Prendergast, Nora Hayes, Sandy Whiteman, Scott Kraft, Chuck Johnson, Gretchen Stevens, Michael Salzman, Rich Andreassen, Tucker McNamee, Suzanne Werner, Kyle McGraw and other members of the public

Public Hearing
Major Subdivision
Property: Route 71
Applicant: Five Birches represented by Chuck Johnson

The public hearing opened at 7:02

A letter was read, sent by abutters, asking for consideration about the noise of shooting, and about noise from construction, well-drilling, and run-off, particularly from driveways.

Brandon said that all building issues are state agency oversight

Barbara addressed the issue of run-off. She said that the town engineer had reviewed the plans to address on-going run-off. The engineer stated that in terms of the project's impact on the roadway, because the total disturbance is less than 5 acres, there do not appear to be any adverse impact on the roadway due to stormwater run-off. However, plans should not be stamped until driveways have passed through Department of Transportation approval. The town engineer recommends that a note be added to the plat to the effect that a stormwater plan has been prepared for this project, and that no lot shall disturb more than 1.4 acres without first submitting an amended site plan to the Board for review and approval.

John added that future use is not the concern of the Planning Board, which is at this point creating a subdivision. What happens after that is a whole different process, governed by zoning laws.

Nora Hayes said that the neighbors are apprehensive because there has never been anything there before. They are concerned about the construction; they want to be sure that there is regulatory oversight.

Barbara and other members of the Board assured them that there were agencies that regulated each part of the building process.

Scott Kraft asked whether the Department of Transportation would address speed on Route 71 or flooding that already occurs across Route 71.

The Board says that since it is a state road, the Department of Transportation has control of that, and that the Board will be in touch with the DOT about this. The building inspector is in charge of any flood zones.

Sandy Whiteman said that flooding is an issue, and she has already had 3 feet of water in her basement, is concerned that run-off from construction could make the situation worse.

The Board thanked the public for their comments.

The Public Hearing was closed at 7:18

The meeting of the Planning Board was opened at 7:19

Brandon made a motion to accept the minutes of both 10/10/22. This was seconded by Rich

Aye: 4 No: 0

Decision: The minutes of 10/10/22 are accepted

Major Subdivision

Property: Route 71

Applicant: Five Birches represented by Chuck Johnson

Pat Prendergast described the plan and the size of the lots. The setbacks will be at least 70 feet, and most will be more than 100'.

Barbara asked whether there was anything preventing purchasers from building in different locations.

Pat replied that there was not a lot of leeway about where houses could be built because of the terrain. He said that driveway approval could not be granted until work permits are issued when the lots are sold. The groundwater table is high, and soil is mostly sand and gravel. A stormwater permit has been issued, and the septic permit is in the works. Curb cuts are shown on plans.

Barbara pointed out that the paving surface of driveways would be impervious.

What, she asked, would prevent water from running into the road?

Pat responded that they would be sloped away from the road from the first 20 feet or so. He also added that a project note would be put on to the plans that any disturbance of over 1.4 acres needs to come back before the Planning Board.

Barbara asked whether there were any other issues.

Rich said that there were not because anything else would be addressed by the building department.

Barbara asked Chuck Johnson whether shooting would be permitted on lots. Mr. Johnson replied that there were not covenants with owners. These will be single family, weekend houses, he said.

Gretchen said that it seems that all involved recognize that building sites would be on the flats.

Barbara said that the Board could approve the subdivisions, but that no stamping could be done until the Department of Health approves the septic systems.

At this point she went over the short form SEQR.

The motion for a negative declaration was made by Rich, and seconded by Brandon.

Aye: 4 No: 0

Decision: A negative declaration is issued

A motion for approval conditional upon Department of Health approval and a note being on the plans was made by Richard and seconded by Brandon

Aye: 4 No: 0

Decision: the major subdivision is granted

Note: Barbara pointed out that full approval must be made within 62 days of the closing of the public hearing. It can be extended if the Department of Health does not approve the septic within that time.

Site Plan

Property: West End Road

Applicant: Michael and Joan Salzman, represented by Rich Andreassen

Michael Salzman described finding the property and the architect.

Rich Andreassen showed plans. He said the property is on West End Road near Taconic Creek Road intersection and is part of an earlier subdivision. The project was referred to the Planning Board by Lee Heim because it is in the steep slope area. A driveway was previously cleared. The proposed driveway makes improvements to the culvert, with some retaining walls and drains. The slope of the driveway is 40 feet in 300, so the average is 10 %. There is a 199 foot section that is 12%. There will be swales on both sides. The driveway will be moved as far away from the septic as possible. The well is 150 ft. from the septic. There is a lot of outcropping. A fire truck turnaround is not needed because the driveway is less than 500 feet. The project has gotten preliminary approval from the Highway Department.

Barbara said that the board would be concerned with clearing the building envelope.

Rich replied that the envelope is 19,970 square feet -- just under the 20,000 square foot clearance. This excludes the driveway.

Mark expressed concern that the whole driveway is going to be cut, and fill would start 50 feet from the road. There will be a lot of dirt.

Rich Andreesen said there was only one spot where the septic could be put. So, there is no way to make switchbacks on the driveway.

Rich Freiman asked whether the sale of the property was contingent on the Board's approval

Michael Salzman said that the property was already owned, and that a 2500 sq foot, 3 bedroom, 3 bath house was going to be built.

Barbara said that the Board was OK with the 12% slope on the driveway. She added that the Board had the option to put this to the Town Engineer and hold a public hearing, but the rest of the Board said that was not necessary.

Board members were in favor of the plan, with caution about the steepness of driveway and the amount of cut.

Mark made a motion to approve the plans, which was seconded by John

Aye: 4 No: 0

Decision: The plans are approved, and will be submitted to the building inspector

Subdivision

Property: Lockwood Road

Applicant: Ellen Zaroff represented by Dan Russell

Dan described the property which lies partially in Claverack and partially in Hillsdale. The property is approximately 200 acres. The applicant wishes to carve out 20 acres for Tucker McNamee who would like to build a house there.

Dan showed proposed well, septic and driveway. The project has driveway approval and there is road access. The Highway Department approved the curb cut.

Pat Prendergast said that the driveway is not very hilly.

Barbara pointed out, in response to a question from an abutter, that this would fall under the ridgeline overlay district, but said that would be another process, when the house is being built.

Dan said that the applicant is proposing this as a prospective building site.

John made a motion to consider the plans complete, which was seconded by Brandon.

Aye: 4 No: 0

Decision: The plans are complete

There will be a public hearing at the December 12 meeting.

Richard made a motion to adjourn, which was seconded by Brandon
The meeting adjourned at 8:35