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Julie Kane
HILLSDALE TOWN CLERK

Hillsdale Planning Board

Minutes

July 12, 2010

Present: Hank Henward, Chairman; Patti Rohrlich; Ellen Levy; Deborah Bowen; Rich Freiman; Bud Gardner; Mark Barbato; Vivian deGeorges, Secretary; Ruth Dufault, CAC

**Public Hearing called to order at 7:30 PM by Chairman Henward
Darryl Hudak land subdivision at 123 Taconic Creek Road Tax ID 124.4-16
Mr. Hudak; Dan Russell, land surveyor; Ira Madris, neighbor;
Barbara Schmick, neighbor**

There was some discussion about the right-of-way on this property. It is a 50 foot right-of-way, on both sides of Taconic Creek Road according to the deed, so the line was run down the center of the road and used as a subdivision line. Mr. Russell also showed the property lines for all adjoining neighbors, which are now shown on the map. Mr. Freiman asked if there was a well site shown, and Mr. Russell said that he didn't show a house or well site.

Ms. Rohrlich asked if there has to be a site plan for a proposed house site. Mr. Henward said that we didn't need to consider that at this point. Then Ms. Levy asked if there has to be a 100' setback for a house from the wetlands, but Mr. Russell said these are ACE wetlands with no setback requirements. Mr. Hudak said the house would be as far from the road as possible, within the building envelope already shown on the map. He further said he has decided not to put the present house on the market yet and also understands that he can't do anything with the wetlands.

Mr. Henward asked if there were any more questions from the public. Mr. Madris spoke and said that he has been a neighbor of Mr. Hudak's for 22 years and that Mr. Hudak has been a great neighbor, maintained the house well, and that all his projects were top of the line. There were no further questions so the Public Hearing was closed at 7:40 and the Planning Board meeting opened.

Mr. Henward asked for a short SEQRA form and one was pulled from the files for Mr. Russell to fill out. When it was done, Mr. Henward read aloud and answered the questions on the form, and found nothing to cause the application to be denied. Motion to approve the subdivision was made by Mr. Freiman and Ms Levy seconded. The vote was all ayes. Mr. Henward stamped and signed the maps. Also received were: the return receipts for the

letters to the neighbors regarding the Public Hearing, a copy of the letter sent, and a check for \$1880.

**John Livingston 2-lot subdivision on Harlemville Road Tax ID 114.-1-15
Fred Haley, surveyor**

Mr. Livingston has 150 acres and would like to divide this into 24 acres around his residence and a 136 acre lot. There was a discussion with Mr. Haley showing the area to be kept, with a barn. He wants to keep the barn because it's in his view from his house. Ms. Levy asked elevation and Mr. Haley said it was in a valley so definitely not in the Ridgeline Overlay District. Ms. Dufault said that there is an agricultural lease on most of the land now and doesn't know the end time of this lease. Mr. Haley doesn't know what the prospective buyer intends to do with the land. Mr. Freiman said that whoever buys that land would have to come back to the Planning Board before building anything.

Mr. Henward said he doesn't see any issues with this proposal. An adjoining neighbor has his septic on the land that is going to be sold. The buyer will inherit that easement. Mr. Henward said that a perc test has to be done on the lot that's going to be sold and a letter from the Dept. of Health submitted to the Planning Board. Mr. Freiman asked that the existing septic be indicated on the map and Mr. Henward asked that the well location and the pond that's on the property also be indicated.

Received from Mr. Haley were: a subdivision map, a letter of authorization from Mr. Livingston for Mr. Haley to represent him, a subdivision application, an agricultural data statement, a small map showing the property, a short SEQRA form and a check for \$1880.

There will be a public hearing regarding this application at the next meeting.

**David Berliner and Heide Fiske Lot line adjustment Phudd Hill Road
Tax ID 114.-1-10 Mr. Berliner; Dan Russell, land surveyor**

Mr. Russell brought maps and showed them to the Board. Ms. Fiske owns 96 acres and is asking for a lot line adjustment of 3.44 acres to Mr. Berliner, her adjoining neighbor, to add to his 66.4 acres. Ms. Fiske's property is on the market and Mr. Berliner wanted more land between his house and the property. This lot line adjustment will create a buffer between his house and the property line. Nothing is in the Ridgeline Overlay District.

Mr. Henward asked if there were any questions by the Board. There were none, and Ms. Rohrlich made a motion to approve the lot line adjustment. Mr. Barbato seconded the motion. The vote was ayes except Mr. Freiman who is a neighbor and so abstained.

For the next meeting, another set of maps with the correct name for Ms. Fiske needs to be submitted. Also received were: a lot line adjustment application, an agricultural data statement, a small map showing the property, a short form SEQRA statement and a check for \$145.

CAC Report:

Ms. Dufault is working on the wind turbine project but has not finished yet. She asked about the water planning and Mr. Henward told her that he had spoken to Ms. Stevens about regulations drawn up by Steve Winkley. Ms. Dufault also said that she'd get in touch with Jamie Purinton regarding the Pinto matter. Mr. Henward said he would call Jason Shaw regarding the Kimelman issue. Discussion ensued about the Kimelman matter.

Ms. Bowen asked about Hawthorne Valley. A discussion followed about Hawthorne Valley asking Glenn Smith for a permit to build a house next to the garden, and further discussion about where the runoff that goes under Rt. 21 winds up, which turned out to be holding ponds.

Mr. Henward asked for a motion to adjourn. Mr. Freiman made the motion and Mr. Garner seconded the motion. The meeting was declared closed by Mr. Henward at 8:40 P.M.