

Hillsdale Planning Board Minutes
September 10, 2012

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

CAC Member Gretchen Stevens; Jeff Paige, resident and member of Green Solutions Committee

Meeting called to order at 7:40PM by Chairman Henward.

Serge Bervy Tax ID 137.-1-12 Parcel B of recent subdivision; Shun Toll and McCartney Rds. Dan Russell, Surveyor; Pat Prendergast, Project Engineer for driveway construction

Received: check for \$550 for Site Plan Review fee; letter authorizing Mr. Russell and Mr. Prendergast to represent him at the meeting.

Maps were distributed to the Board by Mr. Prendergast. Mr. Prendergast said that Mr. Russell had called him to have a driveway designed in the Ridgeline district. He told the Board that he straightened the driveway somewhat from the way it was on the original subdivision map and made a gentle curve. He described the sloping that is going to be done, coming in at 3% for 40-50 feet then 12% for a distance, then 6.6% all the way up to the top. He could do a lesser slope than 12% but then there would have to be more cutting and disturbance of the area. He also described that he kept it close to the existing trail. He showed the turnaround for emergency vehicles, and all the culverts and drainage ditches. He has many culverts throughout the length of the driveway so that no large amount of water is accumulating at any one point.

Ms. Bowen asked where on the map the road is which the Board walked up into this property. Mr. Prendergast showed her the area she had seen in person. Mr. Henward asked how far from the original driveway entry this is now, and he was told that it's 13' further up from where Richard Briggs sited the road cut for the driveway.

Mr. Henward said we aren't describing a house site because this driveway goes from NY into the parcel which is in Massachusetts, so we have no jurisdiction over where a house would be placed. Ms. Bowen showed that the property line between Schumacher and Bervy causes the beginning of the driveway to be located on Schumacher's land. Mr. Russell said there will be an easement to accommodate that.

Ms. Rohrlich asked what a 25-year storm, which is what this driveway is designed for, is described as. Mr. Prendergast said that it's 6" of rain in 24 hours. Ms. Rohrlich said that

didn't seem like a lot, and Ms. Bowen added that these storms are predicted to become more frequent and severe.

Mr. Henward said that the subdivision maps would have to be modified to show the new placement of this driveway and then restamped and refiled. Mr. Russell also showed a hatched area in Parcel B which Mr. Bervy is asking permission to clean up as far as dead trees and undergrowth is concerned. Nothing over 6" would be touched.

Mr. Henward asked if there were any questions from the Board on the design of the driveway. Ms. Levy asked how wide the driveway is and Mr. Prendergast said 12'.

Mr. Barbato asked if there's shale in the area of the driveway and Mr. Prendergast said yes, and that it's stable so the cut can be steeper and not disturb so much area. Mr. Barbato also asked if there would be guiderails as he sees them marked on the map, and Mr. Prendergast said he puts them on all maps just in case they're needed in certain spots.

There was more discussion about the slopes and drop-offs at various parts along the length of the drive.

Ms. Stevens said that the problem this driveway causes is the fragmentation of the habitat. She said that the way to prevent this is to have short driveways and site houses close to the road. This drive will go deep into the forest to the house. As to the 25-year storm, the town regulations don't ask for more than that but these days it may not be enough as we're having more unusual storms and this will probably happen more often.

Mr. Freiman asked the difference between a 25-yr. and 50-yr. storm. Mr. Prendergast said probably 7" of rain in 24 hours rather than 6" and the difference in the pipes might be 15" instead of 12", but the way this driveway is designed, with a 25-year storm these pipes would probably be only $\frac{3}{4}$ full. More discussion about the runoff from different storms.

Ms. Stevens also asked that flags be put in the area to show the edges of the area of disturbance. Mr. Henward said that there's a bit of history with Mr. Bervy, but that Mr. Bervy is intent on preserving the recent good relations with the Planning Board. He further said that the center portion of the drive will have the most disturbance and is the critical area being above a natural slope, so that area needs to be flagged.

Mr. Barbato – do you think there's going to be blasting? Mr. Prendergast said that Mr. Bervy has pretty big machines so can probably do this without blasting.

Mr. Henward asked Mr. Russell if the hatched area of cleaning up could also be flagged so that the Board can see exactly what Mr. Bervy is talking about. Also, he suggested that they make the area to be cleaned up start down a little further, where that area flattens out.

Mr. Henward asked for a motion to approve the driveway design with the condition that the maximum area of disturbance be delineated on the map.

Mr. Gardner made the motion and Mr. Freiman seconded. Vote was all ayes to approve the driveway design with the condition that the maximum area of disturbance be delineated on the map.

Bill Stratton informational meeting regarding his property on Rt. 7D

Mr. Stratton explained to the Board that he's trying to get their feeling on a lot line adjustment he's considering. He said that he has three parcels, and after the adjustment, there would still be three. What he's proposing is combining the parcels on the east side of Rt. 22 (labeled Lots 2 and 3 on the subdivision map) into one parcel, a piece with the farmhouse being another parcel (labeled Lot 1), and a new lot line being drawn so that the rest of Lot 1 be a third parcel.

Mr. Freiman asked how much land the current parcel is (Lot 1) with the house on it. Mr. Stratton said that it is 51 acres. Discussion about the sites and what's there now and what's being proposed. There's a stream that feeds into the RoeJan Kill so the DEC would be involved if it needs to be crossed, and it's not easy to get permission to cross a stream.

Discussion on hydrofracking moratorium or ban

The Green Solutions Committee is working on a draft of either a ban or a moratorium of hydrofracking. The State of NY is confronted with hydrofracking moving in from Pennsylvania into the area near Rochester, the Southern Tier. The governor said that each area can make its own resolution regarding this issue. Mr. Henward wants to know whether the Board wants to get involved in taking a stand. If we suggest a moratorium, we'd have to come up with regulations to govern this.

Ms. Rohrlich suggested that maybe we could have some lectures or talks given by someone who knows about this, giving both sides, to inform the public. Mr. Paige informed the Board that he's a member of the Green Solutions Committee and that they're currently having an attorney work pro bono to draft an 18-month moratorium for Hillsdale. Then the town would use those 18 months to learn all we can about hydrofracking, having meetings and forums to inform the public, after which we could hold a Public Hearing on proposing a ban.

Mr. Henward asked for a motion to recommend to the Town Board to hold a Public Hearing after a forum to inform the public and to provide money in the budget to do these regulations. [No motion was made.]

Ms. Stevens said that we're not at much risk for the gas drilling because the Marcellus Shale is west of the Hudson River, but fracking companies might want to disperse the brine here that's used in the drilling elsewhere. Also, the waste from the drilling needs to be dumped and we might be asked about allowing that in our area. That's why we need to be informed.

Mr. Henward asked for a motion to adjourn the meeting. Mr. Freiman made the motion and Mr. Henward seconded it. The meeting was adjourned at 9:03PM.

The next Planning Board meeting will be held on Monday, October 15th, due to Columbus Day falling on our regular meeting night.