



**Hillsdale Planning Board Minutes
November 9, 2015**

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

Excused: Bud Gardner; Mark Barbato

Also Present: Jeff Paige; Gretchen Stevens; Ruth Dufault

Mr. Henward opened the meeting at 7:30PM.

1. Marilyn Simon site plan review for driveway placement-no show

2. Walter Boelke minor subdivision Pill Hill

Mr. Boelke explained that his will leaves his entire property to his daughter, along with the house he's currently living in. He'd like to subdivide so that he can leave a piece to his wife. Mr. Freiman believes that since the divorce decree mentions the land going to his daughter, Mr. Boelke needs to go to his lawyer to make sure if he subdivides the land and leaves the other parcel to his wife that it doesn't violate his divorce decree. Discussion about all the ramifications that this subdivision could mean depending on how his divorce decree is written.

**3. Patrick Stolfo 18 Cool Timber Rd. in Hillsdale just on the edge of Harlemville.
Lot line adjustment**

Mr. Stolfo described where his property is. It's part of the Fern Hill Management area so he contacted their lawyer, Mark Feinberg, asking if he can sell his parcel. Mr. Henward asked how large the piece is that Mr. Stolfo wants to subdivide off and Mr. Stolfo showed it on the map but it doesn't indicate how large it is. Mr. Stolfo then said that the person who wants to purchase it will use it for horses. There was discussion over what classification it's in, e.g. hamlet mixed use, etc., as well as whether it's near streams or wetland. The Board looked over the large maps to determine where it is. Mr. Henward asked if it's a shared driveway or private road, and Mr. Stolfo said they use that road for addresses, so it must be a private road.

Mr. Henward told Mr. Stolfo that it looks like it's in the rural district which means you need to retain 3 acres, so you could only sell off 1 acre. If you want to sell off more, you'd need to go

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before the ZBA for a variance. Mr. Henward added that if it's an official public road, then it's already two parcels.

Mr. Freiman told Mr. Stolfo that he's going to need a survey to make sure there aren't any pieces outside the Town of Hillsdale, showing which piece he's selling off, showing the line between Hillsdale and Harlemville and suggested it might be easier to lease the land. Mr. Stolfo said he already asked the person that and he said "let's see if we can do this first." Mr. Freiman said that it's a lot of money to do the survey, etc., and if he suggests to the purchaser that he pay for that, the purchaser might want to lease.

Mr. Henward said if you're reducing your own lot to less than 3 acres, you'll need a variance. If the survey shows that the land is more than 3 acres, you won't. Ms. Rohrlich asked if they can put a stipulation that it's forever in agriculture or else Mr. Stolfo would have to get a perc test, a curb cut, a shared driveway agreement, etc.

Mr. Henward asked who maintains the road/driveway and Mr. Stolfo said we do, the person whose house burned down and me. They're going to rebuild the burnt house.

The survey will show how much land is on either side of the driveway and what use area it's in.

Discussions

1. **Sign approval for Chuck's wine shop:** Mr. Henward said Chuck will send pictures of a mock-up for us to approve. He's entitled to 20 sq' plus 30% depending on the materials and quality of the sign. He's asking for one on the back of the shop facing the parking lot and one on Anthony St. Ms. Levy asked what controls we have on the signs and Mr. Henward answered things like no neon, downward lighting, non-illuminated, etc. Discussion about where signs should be placed to attract business, e.g. near Rt. 23.
2. **Peter Yates:** Ms. Stevens said that Mr. Yates received the CAC report and his partner responded saying they'd be happy to follow the recommendations. Mr. Henward asked Ms. Stevens to ask Lee Heim to confirm the reflectivity of the glass with either the contractor or the owner.
3. **Chi and Warren:** Mr. Henward suggested to Ms. Stevens that maybe we should send the Yates CAC report to Chris Chi because the planting plan of Margaret Roach won't be adequate and needs to be in place before we approve it. Mr. Freiman said that he went

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there today to look at the plantings and the color. Ms. Rohrlich showed pictures of the house which now has a high stucco border and header of the same color yellow. They had said that the stucco would be low to the ground on the left side but this is above where trees will grow.

Mr. Henward said that the previous pictures from Ms. Levy looked darker, but now it looks yellow. Mr. Chi and Mr. Warren came in saying they loved Tuscan ochre, said they would darken it, that the cedar siding would be dark (which they gave us a sample of), and gave us no sample of the stucco ever.

Points of discussion:

They're not in compliance with the design of the façade of the front of the building - it's not what they showed; they never brought in colors for the stucco - either they darken it or get enough screening but the stucco is at a higher level (the fascia) than first shown which was near the ground (lower left-hand corner as well as "column opposite"). It's wood covered by foam and the stucco is applied to the foam; we need a confirmation on the height of the building; the planting plan is inadequate as it is.

Ms. Levy asked what are we going to do? Mr. Henward suggested the Board redraft the letter they wrote but didn't yet send to them.

Ms. Dufault - maybe phase II will have a lot of 20' pines, but if this is the first phase, the second must be further away from the perimeter. Mr. Henward asked if the CAC can go up there and make recommendations like they did for Yates and Ms. Stevens said they could. She then continued that when she and Ms. Dufault went up there, Mr. Chi and Mr. Warren seemed interested in substituting native plants for the cultivars on the planting plan.

Ms. Rohrlich said that she thinks that going forward, we don't want to even begin with suggesting screening plantings, but make the project the way it's supposed to be from the start, colors, design, etc. Plants are not forever and if they're deciduous, they only work part of the time.

Mr. Henward said we might want to think about an amendment to the law which prohibits cutting.

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4. **John Colquhon:** Regarding the proposed driveway in a steep slope on Mitchell St. Richard Briggs said he'd gotten something from Mr. Colquhon but Mr. Henward didn't get it yet. He continued, saying this driveway is never going to work. It's just too steep. It's cost them a fortune already, topo work, survey work, and I don't want them to spend any more money. We can't approve something that's unacceptable for emergency vehicles. Also the drainage issues are unbelievable. Fred Miller as fire chief was up there wanted a 4' diameter culvert on top of the property. It's just one huge catch basin all the way to the bottom and the drainage issues are significant.

Mr. Henward asked for a motion to adjourn. Mr. Freiman made the motion, Ms. Bowen seconded. The vote was all ayes. Mr. Henward adjourned the meeting at 9:25PM.

The next Planning Board Meeting will be Monday, December 14th.