



Hillsdale Planning Board Minutes November 14, 2016

Present: Chairman Hank Henward, Ellen Levy, Deborah Bowen, Patti Rohrlich and Nelson Alford, attorney for the town.

Bud Gardner, Richard Freiman and Mark Barbato were excused.

Secretary Veronique Fabio was present to record the minutes.

Also Present: Head of the Conservation Advisory Council David Lewis, and Gretchen Stevens, Jeff Paige.

Hank Henward opened the meeting at 7:30 and noted that there were two items on the agenda for this evening.

1) Tax Map 104.-1-52 18 Cool Timber Rd. Stolfo Patrick & Lynne **Lot line adjustment.**

Mr. Stolfo came to the table, he presented the surveys for the lot line adjustment in which he seeks to transfer 6.5 acres of his land to Branko Furst.

Hank Henward indicated that the surveys were incorrect and will have to be revised. A total of 6 copies are necessary.

Mr. Stolfo can drop off the updated maps at the town hall to be signed, 3 maps will be kept here.

Hank Henward asked for a motion to approve the lot line adjustment, Ellen Levy made the motion, Patti Rohrlich seconded, all in favor.

2) Tax Map 126.-2-20. Mitchell Street, Colquhoun. **Site plan review.**

Mr. & Mrs. Colquhoun were present as well as Pat Prendergast Engineer.

~ Pat Prendergast recapped that the last proposal (#2) was for a longer road including improvements to common areas.

After a meeting with the CAC, the Colquhouns and Mr. Prendergast came up with a 3rd design for the driveway that would lower the environmental impact.

~ Pat Prendergast presented the new design; a much shorter path with a lot of S curves and a maximum of 14% grade on about 600 feet.

Pat Prendergast continued and said that he and Nick Demos PE had evaluated countless ways to the top as opposed to using the existing driveway.

The attached plan shows cutting the grade back substantially on the common lower part of the driveway. The upper part is a combination of 12% and 14%. It crosses over into lot 1 which is owned by the Unrath's. They have been a part of our discussions and are willing to have the driveway enter their property as it would be better for their use as well.

Agreements were reached between the Colquhouns and their other neighbors, allowing for the driveway to be constructed on parts of their lands.

~ Doug Clark letter dated November 11, 2016 stated that the long driveway plan is still not conforming with a long section at 12% and 14%. Using the original driveway with its 18% grade would have much less impact, less cut and fill and fewer issues. Maintenance will be shared by 3 properties. Increasing the grade is a good tradeoff for less environmental impact. The impact to the site versus town grades standards has to be reexamined.

~ Doug Clark talked about the previously created subdivisions.

~ Hank Henward discussed the concern of the Planning Board not to set any precedent.

~ Doug Clark noted that he went through the details of the new plans and noticed that turn outs were not shown.

~ Hank Henward asked if there was an easement agreement with the abutting property owners?

~ Mr. Colquhoun indicated that the three neighbors that will be impacted are all on board with the project. Details will be figured out in time.

~ Gretchen Stevens reported the points of concern following her visit to the site. She pointed out that the height of the fill required to build the proposed driveway at the point that is near the ravine would be something like 35 feet, or the height of a two story house. It would be quite a feat to insure that such a huge bank would not cause run off into the intermittent stream running through that steep ravine. In the opinion of the CAC, the last design is a great improvement compared to the other proposals, less trees will have to be cut and from an ecological standard it is the best option. She also indicated that storm water management will be extremely important.

~ Deborah Bowen asked how such a lot would be accessed from the proposed driveway and where a house site would be situated if they were to sell off some of the property.

~ Mr. Colquhoun responded that a lot line adjustment might be needed but he does not need to sell anything in order to proceed. He is looking into land conservancy options.

~ Dick Alford suggested that a home site location be mentioned on the plans so similar issues don't come up later on.

~ Hank Henward noted that the Unrath's driveway should be shown on the plans.

~ Pat Prendergast noted that it is an easy fix.

~ Victoria Polideo attorney for neighbors, Adam Rolston & Martin McElhiney stated that creating precedents are not the Planning Board's concern. Although the driveway grade exceeds 10% in some location, the impact of the increased grade is outweighed by the environmental benefits of reduced tree-clearing, adjusting the grading and having a pervious driveway surface. The planning Board

has authority to approve the increased grade where there is practical difficulty or unreasonable hardship affecting a particular property making the driveway construction unfeasible at 10% or less. The longer the driveway issue goes on will create hardship. A valid reason is enough for the Planning Board to allow the driveway construction the way it is proposed.

~ Mr. Colquhoun stated that it was the discretion of the Planning Board to approve the access to a subdivision previously created with the sanction of the same Planning Board.

~ Hank Henward stated that more details on the last plan are needed.

~ Pat Prendergast noted that the last driveway design is a great improvement over the previous one. The subdivision preceded the new town law on driveways.

~ Mr. Colquhoun noted that, the driveway no matter what, cannot be made perfect so he is looking for a compromise.

~ Deborah Bowen indicated that the CAC statement on the height of the ravine and the bridge option were scary.

~ Ellen Levy had questions about the original road.

~ Douglas Clark responded that using the original driveway would minimize the impact but it has slopes at 18% over 1000 feet and that would be unacceptable.

~ Mr. Prendergast remarked that when plowed, that driveway is perfectly usable.

~ Patti Rohrlich suggested that not building on lot 2 would lessen the impact in the long run.

~ Ellen Levy agreed with Patti Rohrlich.

~ Gretchen Stevens went through details on protection of the stream with a bridge, storm water management and drainage.

~ Pat Prendergast agreed and said that all this can be done.

~ Doug Clack felt that the last drawing was the best.

~ Dick Alford mentioned that an Environmental Assessment form should be filled out.

~ Hank Henward suggested that the respective attorneys will scheduled a meeting to discuss the concern of setting a precedent.

Meeting was adjourned at 9:00pm

Next meeting December 12, 2016

Respectfully submitted

Veronique Fabio