



**Hillsdale Planning Board
Minutes**

December 10, 2007

Present: Howard Henward (Chairman), Scott Cooper (Vice Chairman), Richard Freiman, Charles Gardner III, Ellen Levy, Ron Morales, Patricia Rohrlich, Douglas Clark, (Consultant Engineer), Richard Alford (Town Attorney).

Meeting called to order 7:35 PM by Chairman Mr. Henward

**Information –Dan Palumbo – Henich Lane, 115.-1-28.1, lot line adjustment.
Present Carl Matuszek, surveyor representing Dan Palumbo.**

Mr. Palumbo is requesting that a portion of Parcel 1 be annexed to Parcel 2 located on the west side of Henich Lane. Mr. Matuszek has made notes on the map as requested.

Mr. Freiman asked why he was doing this as the original parcels had existed for some time.

Mr. Matuszek answered that Mr. Palumbo wanted to sell the farmhouse and a 7 acre portion of Parcel 1 and wanted to exclude the horse barn from the sale.

Mr. Jeremy Dodd, abutting landowner to the south and his attorney were also present. They commented that Ms. Ellen Galgay is the new attorney for Mr. Palumbo.

There followed a discussion of the impact of this change on the previous subdivision approval agreement that no additional structures be allowed except on Parcel 2. It was determined the horse barn contains a single apartment upstairs and an office downstairs and could only be replaced after a fire or other disaster by an equivalent structure.

Therefore there would be no changes to the original agreement made at the time of the original subdivision.

A motion to approve the lot line adjustment was made by Mr. Henward and seconded by Mr. Freiman.

This motion was:

Adopted – Ayes 7, Nays 0

**ROD Information – Constance Herron - Dugway Road, 106.-1-11, site plan review.
Present Constance Herron, Augusta Herron and Leroy V. Herron owners, Terry Cozzolino, Real Estate Broker.**

Mr. Cozzolino asked for permission to cut 30 – 50% of the trees as marked on the map, and then to have the Board revisit the site when the trees leaf out to determine if more cutting would be needed to provide views.

Mr. Cozzolino stated that he will be selling Parcel 2 as a single piece with the restriction that it can only be divided one more time.

Mr. Henward arranged to revisit the land with Mr. Cozzolino on 12/15 at 10:00 am to see what would be cut.

Ms. Herron left a form with Mr. Henward, asking for his help in deciding exactly what they had to do in applying to the Board. Mr. Henward stated that the Board was helping them to do that.

The question was raised and discussed whether Parcel 2 was already a separate parcel or whether the request is for a subdivision to create parcel 2. Tax records will be checked to resolve the issue.

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Lot Line Adjustment – Joyce and James Lapenn - Schmeichel Road, 105.-1-44, 105.-1-45, 105.-1-46. Present Joyce and James Lapenn.

Not present. The application will be continued at the January meeting agenda.

Lot Line Adjustment – Phil Gellert – County Route 21 and Gellert Lane, 115.-1-7, 115.-1-8. Present Phil Gellert.

Not present. The application will be continued at the January meeting agenda.

Information – Alfred Mattikow – Hillsdale Ventures, VanMarter property - Texas Hill Road, Lockwood Road, 134-1-4, 4 lot subdivision. Present Alfred Mattikow – Contract Vendee, Pat Prendergast – Engineer.

Mr. Prendergast reported on his decision to handle rain runoff with rain gardens. He added that the septic systems had been approved by the Columbia County Health Department and that he has letters to that effect.

Mr. Clark, Consulting Engineer for Hillsdale, stated that he had reviewed the status of the project and that he has several minor points to discuss.

The Board needs a copy of the EAF.

Regarding Historic Preservation, Mr. Clark would like Mr. Prendergast to send a Project Review form to NYS Parks Department and add it to the packet.

Mr. Clark brought to the Board's attention that blasting might be needed during the project. The pond is not to be used for swimming. On the subject of wetlands, .22 acres is to be used as a mitigation area.

Mr. Prendergast is waiting for a call from the Army Corps of Engineers and stated that the ACE is not interested in the wetlands. He was asked to get a letter to that effect.

Mr. Clark stated that there would be no significant impact on water quality and that all Town regulations have been met. He raised the question of whether there were Town regulations regarding driveways and storm water and asked if there is a requirement for a conservation easement.

Mr. Prendergast will write to NYS Parks Department and get letters from ACE and DEC.

Ms. Gretchen Stevens, CAC member, stated that the Town might want to ask the State to review storm water issues.

Covenants were distributed and deemed acceptable.

A public hearing will be held on January 7, 2008.

ROD Site Plan review – Jim Cervone, Frank Roche - Little Deer Properties, School House Road, 105.-1-4.111, 135 acres bordering Austerlitz. Present Jim Cervone, (Property Owner & Applicant), Frank Roche (Attorney), Nick Damos, (Engineer), Michael Kornstein (Attorney for the purchaser).

Mr. Damos stated that they had added a protected tree envelope with 29 trees to provide a continuous ridge crest and to screen the homes.

Engineering concerns were discussed, regarding the driveway Mr. Clark had a concern about the capacity of the culvert on the town road and is looking for a plan to deal with possible problems. The slope of the driveway as it comes down was unclear. Would the storm water come down the drive and jump across to the driveway across the road?

It was agreed that Mr. Damos would check on the capacity of the culvert, map the slope of the driveway and determine how storm water would be handled and show rip rap and erosion control on the maps.

Mr. Demos will provide copies of letters to the Austerlitz Fire District regarding the driveway access.

Regarding storm water, it was agreed that Mr. Demos would correct the storm water plan to show the driveway as an impervious surface. Show 4 buildings on the plan and SWIPP and address the water quality impact.

The proposed dam was discussed, and it was agreed that Mr. Demos would send a letter to the DEC and the ACE with a request for a jurisdictional determination, with a copy to the Town.

Mr. Henward asked about the height of the dam and the volume of water in the pond.

Mr. Clark responded that the tests have not been done to determine the height, and these tests would be onerous to the owners. He recommended referring the question to the DEC.

Mr. Demos stated that the volume of water in the pond is estimated as 2.5 million gallons, which is under the 3 million gallon cut-off for a 15 foot dam and that the dam was estimated at 15 feet, but it is really not measurable.

Mr. Alford recommended that the Board follow Mr. Clark's recommendation that a letter be sent to the DEC by the applicant, with a copy to the Town.

Mr. Henward stated the Planning Board requests a letter be sent to the DEC, and asked the Planning Board to consider approving the proposal, subject to receiving DEC approval.

Mr. Henward addressed Mr. Demos and asked him to work out the engineering details with Mr. Clark. Mr. Clark will notify the Planning Board when this has been completed, and then driveway construction can begin as soon as possible.

Ms. Stevens made a statement about the slope of the driveway that the map showed a 12% grade right above a very sharp turn, and it may create a safety issue.

A motion to approve the Site Plan Review was made by Mr. Morales and seconded by -----, subject to the covenants and structures being added to the map and receiving the letters from Mr. Clark and the DEC.

This motion was:

Adopted – Ayes 7, Nays 0

Minutes from prior meetings were discussed, there was a question whether the September minutes had been accepted. Considering the late hour, it was agreed to postpone review of the minutes until a later time.

Meeting adjourned at 9:45 pm.