

PLANNING BOARD
TOWN OF STUYVESANT
STUYVESANT, NEW YORK 12173

MINUTES OF AUGUST 27, 2007

*Approved at September 24, 2007 meeting

MEMBERS PRESENT:

Mr. Gale Bury, Chairman
Ms. Marilyn Burch
Ms. Charlene Leach
Ms. Rose Heintz
Mr. Harold Leiser
Mr. Larry Kennett
Mr. Tom Shanahan

MEMBERS ABSENT:

OTHERS PRESENT:

Mr. Tal Rappleyea, Town Attorney
Mr. Raymond Jurkowski, Morris Associates
Mr. William Better, Attorney
Mr. Jason Shaw, Attorney

Chairman Bury called the meeting to order at 7:05 p.m. with the Pledge of Allegiance to the Flag.

1. A motion was made by Harold Leiser and seconded by Tom Shanahan to accept the minutes of the July 23, 2007 meeting. All members voted in favor.
2. Minor Subdivision Application by John and Linda Morgan, Valatie, NY for property located on Schoolhouse Road, Stuyvesant, NY. They propose to divide 17 acres into two lots consisting of 5 acres and 12 acres. A Public Hearing was held previously on July 23rd, 2007. Chairman Bury and Harold Leiser visited the proposed subdivision. Mr. Leiser stated a gravel mine requires a permit from the DEC and there is not enough timber to make it feasible to harvest the woodlands currently there. If the woods were cut it would probably take two weeks to clear the woodlands. Mr. Leiser and Chairman Bury stated there was nothing legally shown to prevent the application from moving forward. A motion was made by Charlene Leach and seconded by Harold Leiser to declare a negative environmental impact declaration. All members voted in favor. A motion was made by Charlene Leach and seconded by Harold Leiser to approve the application. All members voted in favor. Chairman Bury stamped the

subdivision maps and instructed the applicant to file them with the County within 60 days.

3. FAIRLAND FARM: (formerly known as Little Farms), 3223 County Route 21, Kinderhook, NY. Subdivision application of Fairland Equities to create a 16 lot subdivision. Three parcels will be located in the Town of Stuyvesant. Tal Rappleyea excused himself as attorney for the Town of Stuyvesant on this subdivision proposal. Jason Shaw is representing the Town of Stuyvesant for this matter. A copy of Ray Jurkowski's letter to the Columbia County Department of Public Works and the response letter from the County were distributed to the Board members. Mr. Shaw had some procedural matters he wished to discuss with the Board. It was confirmed a Public Hearing was held and the proper notice was posted in the newspapers. Mr. Shaw questioned if this was a major versus minor subdivision. While only three lots are in the town, the subdivision involves 16 to 18 lots. Additionally the town's zoning law indicates a minor subdivision has access to an existing road. The lots in the Town of Stuyvesant will have access to a road yet to be built. Therefore, the Board agreed this would qualify as a major subdivision. Mr. Shaw pointed out once the Public Hearing is closed, the application must be decided within 62 days or the application is automatically approved. The applicant can waive the 62 day requirement. William Better indicated the applicant would waive this requirement until the end of September 2007 and would extend it further if necessary. Mr. Shanahan asked about the homeowner's association process. Mr. Shaw stated both the Stuyvesant and Kinderhook boards should assure that prior to any final subdivision approval that a Homeowners Association filing is made with and approved by the Attorney General's office. The Homeowners Association filing is usually done by the developer. Ray Jurkowski stated that the applicant's engineer has met with the DEC to discuss the storm water pollution prevention plan on low density projects. Ray Jurkowski indicated he is waiting for information from the Department of Health on the septic system designs. A letter from the Columbia County Department of Public Works was received indicating the access to the subdivision off of County Route 21 was acceptable. Mr. Shaw recommended the applicant resolve the issues that involve both towns with Kinderhook first as they are the lead agency as the actions taken (or not taken) by the Town of Kinderhook could affect Stuyvesant's decisions and actions. Mr. Better indicated a third set of plans for the road will be submitted to both towns shortly. Mr. Better state the applicant is building a town road. Mr. Better states the applicant met with the Kinderhook fire company. A letter from the fire company was presented stating the roadway as contemplated is adequate for fire fighting purposes. Mr. Better stated a workshop meeting is scheduled for the Town of Kinderhook on Thursday, September 13, 2007. All parties agreed that the record will reflect that this will be considered a major subdivision, the 62 day requirement is extended to the end of September and the applicant and Ray Jurkowski will work out the engineering issues including the storm water treatment.

The next meeting was scheduled for Monday, September 24, 2007 at 7:00 p.m. A motion to adjourn the meeting was made by Harold Leiser and seconded by Rose Heintz. All members voted in favor.

Respectfully submitted,

Shirley Narzynski
Planning Board Secretary