

PLANNING BOARD
TOWN OF STUYVESANT
STUYVESANT, NEW YORK 12173

MINUTES OF SEPTEMBER 28, 2009

**** Approved at 11/23/09 meeting**

MEMBERS PRESENT:

Mr. Gale Bury, Chairman
Ms. Marilyn Burch
Ms. Charlene Leach
Ms. Patricia Casey
Mr. Harold Leiser
Tom Shanahan
Frank Palladino
Mr. Sean Cummings, Alternate

MEMBERS ABSENT:

OTHERS PRESENT:

Mr. Tal Rappleyea
Mr. Peter Van Alstyne

Chairman Bury called the meeting to order at 7:00 p.m. with the Pledge of Allegiance to the Flag.

1. A motion was made by Harold Leiser and seconded by Patricia Casey to accept the minutes of the August 24, 2009 meeting. All members voted in favor.
2. Minor Subdivision Application for Catherine and Kieran Goodwin – property located approximately 2170 feet north of the intersection of Columbia County Route 26A and US Route 9J. Mr. Peter Van Alstyne appeared on their behalf. They propose to subdivide a two acre parcel with an existing residence from a total parcel of 86 +/- acres. Revised maps were reviewed. The driveway was moved 50' to the north and is pending approval from DOT. Mr. Van Alstyne surveyed the property and found the subdivision line will now meet zoning set back requirements. The applicant has applied for a residential curb cut from the State of New York for a driveway. The septic location and wet lands were already delineated on a map previously submitted by the prior land owner. The septic system was approved by the Department of Health by the prior land owner. The map was never filed with the County. A motion was made by Harold Leiser and seconded by Charlene Leach to accept the application and set a public hearing for Monday, October 26, 2009 subject to receiving approval from the Department

- of Health and DOT. All members voted in favor. Mr. Van Alstyne asked if the property owners could start on the driveway. After discussion with the Board Members and Mr. Ennis, it was agreed work could be started on the driveway only.
3. Site Plan Application for Mike and Lillian Tomlin. Mrs. Tomlin appeared before the Board with the assistance of Mr. Harold Leiser. A site plan application, old survey map, aerial map and sketch plan of the house, barn and proposed mobile home were provided for placement of a mobile home on the former Scism property now owned by Mr. William Brown located off Sharptown Road. Mr. and Mrs. Tomlin currently lease and farm the property. A building permit will need to be obtained. The septic system and well will need approval from the respective agencies. A motion was made by Tom Shanahan and seconded by Frank Palladino to set a public hearing. Mr. Leiser stated a public hearing is not required. After reviewing the Mobile Home Park Law, Section 21, subparagraph 1, Mr. Rappleyea and the Board confirmed it was the sole discretion of the Planning Board to waive or modify parts of the local law (requirement for a public hearing) upon the request of the applicant. Mrs. Tomlin requested the Board waive the public hearing. The Board discussed the mobile home would comply with agricultural housing requirements and should not be located in the view of neighbors. A motion was made by Tom Shanahan and seconded by Frank Palladino to rescind the prior motion setting a public hearing as the mobile home will be used for agricultural purposes only. All members voted in favor. A motion was made by Tom Shanahan and seconded by Patricia Casey to waive the requirement for a public hearing, declare a negative environmental impact statement and approve the site plan application. All members voted in favor.
 4. Chris Bortugno, Glencadia Farm, Stuyvesant Falls, NY appeared before the Board to discuss the feasibility of a minor subdivision of his property located near Kinderhook Creek. He states his property is covered by a conservation easement with a two acre building envelope. Since the property is located in an agricultural zone, five acre zoning applies. There is already a residence located on the property. Mr. Bortugno believes he can place another home on 3.2 acres in the rear of his property near Kinderhook Creek. The Board explained only one residence is allowed on a five acre parcel in an agricultural zone. The Board discussed road frontage requirements. There is currently an easement for access to the existing building. The Board requested Mr. Bortugno provide a survey map showing the proposed subdivision, completed subdivision application with items completed on the check list and a copy of conservation easement contract for further review.

The next meeting was scheduled for Monday, October 26, 2009 at 7:00 pm. A motion to adjourn the meeting was made by Harold Leiser and seconded by Frank Palladino. All members voted in favor.

Respectfully submitted,

Shirley Narzynski
Planning Board Secretary